FEDERAL REGISTER

VOLUME 16 NUMBER 172

Washington, Wednesday, September 5, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2942

SUPPLEMENTING PROCLAMATION NO. 2799[1] OF JULY 20, 1948, ENTITLED "REGISTRATION"

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS under authority vested in me by title I of the Selective Service Act of 1948 I provided by Proclamation No. 2799 of July 20, 1948, for the registration in the several States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands of male citizens of the United States and other male persons residing in the United States subject to registration under section 3 of the said title;

WHEREAS the 1951 Amendments to the Universal Military Training and Service Act, Public Law 51, Eighty-second Congress, approved June 19, 1951, amended sections 1 (a), 3, and 16 (b) of title I of the Selective Service Act of 1948 (62 Stat. 604), as amended, to read as follows:

"SECTION 1. (a) This Act may be cited as the 'Universal Military Training and Service Act'."

* * * * *

"SEC. 3. Except as otherwise provided in this title, it shall be the duty of every male citizen of the United States, and every other male person now or hereafter in the United States, who, on the day or days fixed for the first or any subsequent registration, is between the ages of eighteen and twenty-six, to present himself for and submit to registration at such time or times and place or places, and in such manner, as shall be determined by proclamation of the President and by rules and regulations prescribed hereunder."

* * * * *

"SEC. 16. When used in this title— * * *

(b) The term 'United States', when used in a geographical sense, shall be deemed to mean the several States, the District of Columbia, Alaska, Hawaii, Puerto Rico, the Virgin Islands, and Guam."

[1] 13 F. R. 4173; 3 CFR 1948 Supp.

AND WHEREAS under authority vested in me by title I of the Universal Military Training and Service Act, as amended, I provided by Proclamation No. 2938 of August 16, 1951, for the registration in Guam of male citizens of the United States and other male persons in Guam, and by Proclamation No. 2937 of August 16, 1951, for the registration in the Canal Zone of male citizens of the United States in the Canal Zone, subject to registration under section 3 of the said title:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by title I of the Universal Military Training and Service Act, as amended, do proclaim the following:

1. The registration of male citizens of the United States who are required to register by the said Proclamation No. 2799 of July 20, 1948, shall continue to be accomplished in accordance with the provisions of that proclamation.

2. The registration in the several States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands of male persons who are not citizens of the United States and who are subject to registration under section 3 of title I of the Universal Military Training and Service Act, as amended, shall hereafter be accomplished in accordance with paragraph numbered 3 of this proclamation.

3. (a) The registration of male persons who are not citizens of the United States who shall have attained the eighteenth anniversary of the day of their birth and who shall have not attained the twenty-sixth anniversary of the day of their birth shall take place in the several States of the United States, the District of Columbia, the Territories of Alaska and Hawaii, Puerto Rico, and the Virgin Islands between the hours of 8:00 A. M. and 5:00 P. M. on the day or days hereinafter designated for their registration, as follows:

(1) Every person born on or after September 15, 1925, but not after Sep-

(Continued on page 8971)

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

tember 14, 1933, shall be registered on Friday, the 14th day of September, 1951, or on any day within the period of six months following the day on which he entered any of the following: The continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, and Guam.

(2) Every person born after September 14, 1933, shall be registered on the day he attains the eighteenth anniversary of the day of his birth, or within five days thereafter, or on any day within the period of six months following the day on which he entered any of the following: The continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, and Guam.

(b) Every male person now or hereafter in the United States who is not a citizen of the United States, other than persons excepted by or pursuant to section 6 (a) of title I of the Universal Military Training and Service Act, as amended, and those previously registered pursuant to the said Proclamation No. 2799 of July 20, 1948, or pursuant to the said Proclamation No. 2938 of August 16, 1951, who is within any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands and who shall have attained the eighteenth anniversary of the day of his birth and who shall have not attained the twenty-sixth anniversary of the day of his birth on the day or any of the days fixed herein for his registration is required to and shall on that day or any of those days present himself for and submit to registration before a duly designated registration official or selective service local board having jurisdiction in the area in which he has his permanent home or in which he may happen to be on that day or any of those days.

(c) If a person subject to registration who is not a citizen of the United States is in any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands, on the day or any of the days fixed for registration but because of circumstances beyond his control is unable to present himself for and submit to registration on that day or any of those days he shall do so as soon as possible after the cause for such inability ceases to exist. If a person subject to registration who is not a citizen of the United States is not in any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands, on the day or any of the days fixed herein for the registration of a person of his age but subsequently enters any of the several States of the United States, the District of Columbia, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, or the Virgin Islands, he shall present himself for and submit to registration before a duly designated registration official or selective service local board within the period of six months following the day on which he entered any of the following: The continental United States, the Territory of Alaska, the Territory of Hawaii, Puerto Rico, the Virgin Islands, and Guam.

(d) Every person subject to registration is required to familiarize himself with the rules and regulations governing registration and to comply therewith.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 30th day of August in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-sixth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-10712; Filed, Aug. 31, 1951; 2:22 p. m.]

EXECUTIVE ORDER 10284

EXTENSIONS OF TIME RELATING TO THE DISPOSITION OF CERTAIN HOUSING

By virtue of the authority vested in me by section 611 of the act entitled "An Act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, hereinafter called the Act, and having determined, after considering the needs of national defense and the effect of the extensions hereinafter provided for upon the general housing situation and the national economy, that such extensions are in the public interest, it is hereby ordered as follows:

1. The time stipulated in subsection (c) of section 601 of the Act on or before which requests must be filed under subsections (b) and (g) of that section is extended from December 31, 1950, to December 31, 1951.

2. The time stipulated in subsection (c) of section 601 of the Act on or before which all conditions to relinquishments or transfers pursuant to requests made under subsections (b) and (g) of that section must be complied with is extended from June 30, 1951, to June 30, 1952.

3. The time stipulated in section 604 of the Act after which vacancies occurring or continuing in temporary housing remaining under the jurisdiction of the Housing and Home Finance Administrator on land under his control may be filled only by transfer of tenants of other accommodations in the same locality being removed as required by the Act is extended from August 15, 1951, to July 1, 1952.

4. The time stipulated in section 604 of the Act on or before which all tenants must be notified to vacate the premises is extended from March 31, 1952, to March 31, 1953; and the time required to be stipulated in such notices prior to which the premises must be vacated is extended from July 1, 1952, to July 1, 1953.

5. The time stipulated in section 604 of the Act promptly after which actions must be instituted to evict any tenants still remaining is extended from July 1, 1952, to July 1, 1953.

6. The time stipulated in section 606 (a) (1) of the Act on or before which conveyance of the housing projects listed in section 606 (a) (3) of the Act must be requested by the governing body of

the municipality or county and on or before which the need for low-rent housing must be demonstrated to the satisfaction of the Administrator is extended from December 31, 1950, to December 31, 1951.

7. The time stipulated in section 606 (a) (3) of the Act on or before which the governing body of the municipality or county must enter into an agreement with the public housing agency satisfactory to the Public Housing Administration providing for local cooperation and payments in lieu of taxes and on or before which the public housing agency must enter into an agreement with the Public Housing Administration for the administration of any project requested under section 606 (a) of the Act is extended from June 30, 1951, to June 30, 1952.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 1, 1951.

[F. R. Doc. 51-10741; Filed, Sept. 4, 1951; 9:46 a. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; COLORADO

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

COLORADO

County	Average value	Investment limit
Adams	$20,000	$12,000
Alamosa	20,000	12,000
Archuleta	20,000	12,000
Conejos	20,000	12,000
Delores	20,000	12,000
La Plata	20,000	12,000
Montezuma	20,000	12,000
San Miguel	20,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 29th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10607; Filed, Sept. 4, 1951; 8:47 a. m.]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; MASSACHUSETTS

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values and investment limits set forth below for said counties.

MASSACHUSETTS

County	Average value	Investment limit
Norfolk	$15,000	$12,000
Plymouth	15,000	12,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interprets or applies secs. 3 (a), 44 (b), 60 Stat. 1074, 1069; 7 U. S. C. 1003 (a), 1018 (b))

Issued this 29th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-10608; Filed, Sept. 4, 1951; 8:48 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

PART 303—COOPERATIVE SUPPRESSION OF PLANT DISEASES AND INSECT PESTS

SUBPART—GOLDEN NEMATODE SUPPRESSIVE PROGRAM, 1951 SEASON

Pursuant to the authority vested by section 6 of the Golden Nematode Act (7 U. S. C., Sup. 3, 150e; 62 Stat. 442), and having determined that the State of New York, through legislation, appropriations, and quarantine regulations has taken action and provided funds and means to carry out effectively a cooperative program to suppress, control, and prevent the spread of the known infestation of the golden nematode in accord with the other provisions of the Golden Nematode Act, the Secretary of Agriculture of the United States and the Commissioner of Agriculture and Markets of the State of New York cooperatively determined that the following procedures and rates shall be used in compensating growers in the portion of Long Island, New York, where the golden nematode is known to occur, for carrying out a program for the control and suppression of this nematode during the 1951 season:

Sec.
303.1 Compensation only to nongrowers of potatoes.
303.2 Compensation to owner-operators.
303.3 Agreement and voucher forms.

AUTHORITY: §§ 303.1 to 303.3 issued under sec. 6, 62 Stat. 442; 7 U. S. C. Sup. 150e.

§ 303.1 *Compensation only to nongrowers of potatoes.* Compensation will be paid only to those growers who refrained from planting potatoes on land infested or exposed to infestation by the golden nematode, and who grew on such lands only such crops as were approved by the Department of Agriculture and Markets of the State of New York.

§ 303.2 *Compensation to owner-operators*—(a) *Apportionment of losses.* Losses to owner-operators of lands infested by or exposed to the golden nematode who refrained from growing potatoes shall be borne by the United States Department of Agriculture, the Department of Agriculture and Markets of the State of New York, and the owner-operator.

(b) *Joint payments by Federal and State governments.* The full and uniform amount to be paid jointly by the United States Department of Agriculture and the Department of Agriculture and Markets of the State of New York to each owner-operator of lands infested by or exposed to the golden nematode shall be at the rate of $80 per acre, divided equally between the two named agencies. The payment of $80 will be made only to owners who have complied in good faith with all regulations concerning the golden nematode promulgated by the United States Department of Agriculture and the Department of Agriculture and Markets of the State of New York.

(c) *Computation of payments.* It has been determined that, based on (1) the estimated value of crops that were approved by the Department of Agriculture and Markets of the State of New York for production on lands infested by the golden nematode, (2) an analysis of the average cost of producing potatoes in Nassau County, Long Island, New York, (3) the average annual yield of potatoes in said Nassau County, and (4) the estimated sale value of potatoes in that area, the joint compensation of $80 per acre will not be more than two-thirds of the total loss accruing to the owner-operator.

§ 303.3 *Agreement and voucher forms.*[1] As a condition of payment each owner-operator shall enter into an agreement with the Department of Agriculture and Markets of the State of New York, which shall be executed at least in duplicate. One fully executed copy of the agreement and a certificate by a responsible officer of the Department of Agriculture and Markets of the State of New York, both of which shall be substantially in the form appended hereto, shall be attached to and made a part of each voucher (Standard Form 1034) executed by a grower seeking to receive compensation from the United States Department of Agriculture. The purpose of the voucher shall be stated substantially as follows:

One-half of compensation for refraining from planting potatoes on _____ acres of land infested by or exposed to the golden nematode.

These regulations shall be effective September 4, 1951, and shall supersede 7 CFR, Supp., § 303.1–1 to 303.1–4, inclusive, effective December 18, 1950.

NOTE: For delegation of authority with respect to Golden Nematode Suppressive Program, 1951 season, see Department of Agriculture, Bureau of Entomology and Plant Quarantine, in Notices section, *infra*.

Done at Washington, D. C., this 29th day of August, 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Concurred with: July 30, 1951.

C. CHESTER DU MOND,
Commissioner of Agriculture and Markets, State of New York.

[F. R. Doc. 51–10609; Filed Sept. 4, 1951; 8:48 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 950—PEACHES GROWN IN UTAH

Correction

In Federal Register Document 51–10112, published at page 8426 of the issue for Thursday, August 23, 1951, the following corrections are made:

1. The seventh line of § 950.29 should read "or disqualification of any member or any".

2. The last sentence of § 950.71 should read: "The Administrative Committee may prescribe adequate safeguards to prevent peaches shipped for any of such purposes from entering commercial channels of trade contrary to the provisions of this subpart."

3. The seventh line of paragraph (c) of § 950.82 should read "sarily by the trustees or such other".

[1] Filed as part of the original document.

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs. Serial No. SR–370]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

SPECIAL CIVIL AIR REGULATION; COCKPIT STANDARDIZATION

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 23d day of August 1951.

On December 13, 1950, the Board adopted Amendment 4b–2 to Part 4b of the Civil Air Regulations which required that the relative location of certain flight instruments and the relative location, direction of motion, and knob shapes of certain controls installed on airplanes for which the type certificate was applied for after January 17, 1951, be installed in accordance with specified standards.

Recently it was brought to the Board's attention that studies conducted under the sponsorship of the Society of Automotive Engineers may reveal a need for certain changes to the standardization provisions adopted by the Board in Amendment 4b–2, and that the study of the SAE committee concerned with this matter is expected to be completed within the next few months. Realizing, therefore, that the results of the work of this committee may reveal a need for further amendment of the regulations, the Board considers that it would be in the interest of standardization to suspend the requirements contained in such amendment until such time as the Board can study the conclusions reached by the SAE committee. To this end, this Special Civil Air Regulation suspends the provisions contained in Amendment 4b–2 until April 1, 1952.

For the reasons stated above the Board finds that notice and public procedure are impracticable and contrary to the public interest and that good cause exists for making this Special Civil Air Regulation effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby makes and promulgates the following Special Civil Air Regulation, effective August 23, 1951:

Contrary provisions of the Civil Air Regulations notwithstanding, effective immediately the Board suspends the provisions contained in Amendment 4b–2 to Part 4b of the Civil Air Regulations promulgated December 13, 1950, until April 1, 1952.

This regulation shall terminate April 1, 1952, unless sooner superseded or rescinded.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009; 49 U. S. C. 551, 553)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51–10649; Filed, Sept. 4, 1951; 8:51 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 54]

PART 600—DESIGNATION OF CIVIL AIRWAYS

MISCELLANEOUS AMENDMENTS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee and are adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 600 is amended as follows:

1. Section 600.12 *Green civil airway No. 2 (Seattle, Wash., to Boston, Mass.)*, is amended after "Billings, Mont., radio range stations;" by deleting the words which read: "the intersection of the northeast course of the Billings, Mont., radio range and the southwest course of the Miles City, Mont., radio range;"

2. Section 600.16 *Green civil airway No. 6 (Laredo, Tex., to Norfolk, Va.)*, is amended after "New Orleans, La., radio range station;" by adding the following portion to read: "the intersection of the east course of the New Orleans, La., radio range and the southwest course of the Mobile, Ala., radio range;"

3. Section 600.18 *Green civil airway No. 8 (Cold Bay, Alaska, to Northway, Alaska)*, is amended by deleting the words: "via the Port Heiden, Alaska, radio range station;" and changing the first portion to read: "From the Cold Bay, Alaska, radio range station via the King Salmon, Alaska, radio range station;"

4. Section 600.103 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.)*, corrected by changing "Hot Springs, New Mexico" to read: "Truth or Consequences, New Mexico."

5. Section 600.204 is amended to read:

§ 600.204 *Red civil airway No. 4 (Albuquerque, N. Mex., to Las Vegas, N. Mex.)*. From the Albuquerque, N. Mex., omnirange station via the intersection of the Albuquerque, N. Mex., omnirange 23° True enroute radial and the Santa Fe, N. Mex., omnirange 253° True enroute radial to the Santa Fe, N. Mex., omnirange station. From the Santa Fe, N. Mex., Municipal Airport via the Las Vegas, N. Mex., radio range station to the intersection of the southeast course of the Las Vegas, N. Mex., radio range and the west course of the Tucumcari, N. Mex., radio range.

6. Section 600.230 *Red civil airway No. 30 (Shreveport, La., to Jacksonville, Fla.)*, is amended after the portion which reads: "Baton Rouge, La., radio range station to the intersection of the southeast course of the Baton Rouge, La., radio range and the west course of the New Orleans, La., radio range." by adding the following portion to read: "From the

New Orleans, La., radio range station to the Mobile, Ala., radio range station."

7. Section 600.240 is amended to read:

§ 600.240 *Red civil airway No. 40 (Kodiak, Alaska, to Anchorage, Alaska).* From the Kodiak, Alaska, radio range station via the intersection of the north course of the Kodiak, Alaska, radio range and the south course of the Homer, Alaska, radio range to the Homer, Alaska, radio range station. From the intersection of the west course of the Homer, Alaska, radio range and the southwest course of the Kenai, Alaska, radio range via the Kenai, Alaska, radio range station; the intersection of the northeast course of the Kenai, Alaska, radio range and the west course of the Anchorage (Merrill), Alaska, radio range to the Anchorage (Merrill), Alaska, radio range station.

8. Section 600.281 is amended by changing caption to read:

§ 600.281 *Red civil airway No. 81 (Cadillac, Mich., to Elkins, W. Va.)*, and by changing beginning of airway to read: "From the Cadillac, Mich., non-directional radio beacon via the Lansing, Mich., radio range station; the intersection of the southeast course of the Lansing, Mich., radio range and the west course of the Detroit, Mich., radio range to the Toledo, Ohio omnirange station.

9. Section 600.284 *Red civil airway No. 84 (Lafayette, La., to Atlanta, Ga.)*, is amended by deleting the portion which reads: "From the Callendar, La., non-directional radio beacon via the intersection of a bearing 70° True from the Callendar, La., non-directional radio beacon with the southwest course of the Biloxi, Miss., Keesler AFB radio range to the Biloxi, Miss., Keesler AFB radio range station."

10. Section 600.626 *Blue civil airway No. 26 (Anchorage, Alaska, to Nenana, Alaska)*, is amended by changing last portion to read: "the intersection of the northeast course of the Summit, Alaska, radio range and the southeast course of the Nenana, Alaska radio range via the Nenana, Alaska, radio range station to the intersection of the northwest course of the Nenana, Alaska, radio range and the west course of the Fairbanks, Alaska, radio range."

11. Section 600.627 is amended to read:

§ 600.627 *Blue civil airway No. 27 (Kodiak, Alaska, to Kotzebue, Alaska).* From the Kodiak, Alaska, radio range station via the intersection of the west course of the Kodiak, Alaska, radio range and the southeast course of the King Salmon radio range; King Salmon, Alaska, radio range station; Bethel, Alaska, radio range station; Nome, Alaska, radio range station to the Kotzebue, Alaska, airport.

12. Section 600.632 is amended by changing caption to read: *"Blue civil airway No. 32 (Pendleton, Oreg., to Talkeetna, Alaska)"*, and by changing the last portion to read: "From the Skwentna, Alaska, radio range station to the Talkeetna, Alaska, non-directional radio beacon."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452)

This amendment shall become effective 0001 e. s. t. September 4, 1951.

[SEAL] C. F. HORNE,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-10700; Filed, Sept. 4, 1951; 9:04 a. m.]

[Amdt. 58]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

MISCELLANEOUS AMENDMENTS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adapted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.13 *Green civil airway No. 3 control areas (San Francisco, Calif., to New York, N. Y.)*, is amended after the portion which reads: "Selinsgrove, Pa., omnirange station to the Allentown, Pa., omnirange station via the direct enroute radials;" to read: "from the Allentown, Pa., omnirange station to the Caldwell, N. J., omnirange station via the direct enroute radials, from the Allentown, Pa., omnirange station to the Matawan, N. J., VHF VAR radio range station via the Allentown omnirange direct enroute radial; from the Allentown, Pa., omnirange station to the Linden, N. J., non-directional radio beacon via the Allentown omnirange direct enroute radial; and from the Philipsburg, Pa., omnirange station to the Allentown, Pa., omnirange station via the Philipsburg 113° True and the Allentown 258° True altitude change radials, excluding that portion which lies more than 3 miles south of the Allentown, Pa., omnirange 258° True altitude change radial."

2. Section 601.15 *Green civil airway No. 5 control areas (Los Angeles, Calif., to Boston, Mass.)*, is amended by correcting "Texarkana, Tex.," to read "Texarkana, Ark.," and by adding the following portion between the Texarkana omnirange station and Memphis omnirange station to read: "from the Texarkana, Ark., omnirange station to the Pine Bluff, Ark., omnirange station via the direct en route and 15° south altitude change radials; from the Pine Bluff, Ark., omnirange station to the Memphis, Tenn., omnirange station via the direct en route and 15° south altitude change radials;"

3. Section 601.17 is amended to read:

§ 601.17 *Green civil airway No. 7 control areas (Nome, Alaska, to Fairbanks, Alaska).* From a line extended at right angles across such airway through a point 25 miles west of the intersection of the west course of the Fairbanks, Alaska, radio range and the northwest course of the Nenana, Alaska, radio range to the Fairbanks, Alaska, radio range station.

4. Section 601.18 is amended to read:

§ 601.18 *Green civil airway No. 8 control areas (Cold Bay, Alaska, to Northway, Alaska).* From a line extended at right angles across such airway through a point 50 miles southwest of the King Salmon, Alaska, radio range station to the Northway, Alaska, radio range station.

5. Section 601.102 is amended to read:

§ 601.102 *Amber civil airway No. 2 control areas (Long Beach, Calif., to Point Barrow, Alaska).* All those portions of Amber civil airway No. 2 within the limits of the continental United States. From the intersection of the northwest course of the Snag, Yukon Territory radio range and the U. S.-Canadian Border to a line extended at right angles across such airway through a point 25 miles northwest of the intersection of the west course of the Fairbanks, Alaska, radio range and the northwest course of the Nenana, Alaska, radio range.

6. Section 601.103 *Amber civil airway No. 3 control areas (El Paso, Tex., to Great Falls, Mont.)*, is corrected to change the name "Hot Springs, N. Mex.," to read: "Truth or Consequences, N. Mex." and by deleting the portion which reads: "From the intersection of the Otto, N. Mex., omnirange 86° True enroute radial and the Las Vegas, N. Mex., omnirange 214° True enroute radial to the Las Vegas, N. Mex., omnirange station via the Las Vegas, N. Mex., omnirange 214° True enroute radial;" and by adding in lieu thereof: "From the Otto, N. Mex., omnirange station to the Las Vegas, N. Mex., omnirange station via the direct enroute radials;"

7. Section 601.104 *Amber civil airway No. 4 control areas (Brownsville, Tex., to Minot, N. Dak.)*, is amended before the portion which reads: "from the Fort Worth, Tex., omnirange station to the Ardmore, Okla., omnirange station * * *" to read: "from the Waco, Tex., omnirange station to the Fort Worth, Tex., omnirange station via the direct enroute radials including all that area bounded on the southwest and northwest by Amber civil airway No. 4 and on the east by the Waco-Fort Worth omnirange direct enroute radial;"

8. Section 601.105 *Amber civil airway No. 5 control areas (Grand Isle, La., to Milwaukee, Wis.)*, is amended between the Memphis, Tenn., omnirange station and the St. Louis, Mo., omnirange station to read: "from the Memphis, Tenn., omnirange station to the Malden, Mo., omnirange station via the direct enroute and 15° west altitude change radials; from the Malden, Mo., omnirange station to the Farmington, Mo., omnirange station via the direct enroute and 15° west altitude change radials; from the Farmington, Mo., omnirange station to the St. Louis, Mo., omnirange station via the direct enroute and 15° west altitude change radials;"

9. Section 601.107 *Amber civil airway No. 7 control areas (Key West, Fla., to U. S.-Canadian Border)*, is amended before the portion which reads: "from the West Palm Beach, Fla., omnirange station to the Vero Beach, Fla., omnirange station" by adding the following portion: "from the Key West, Fla., omnirange station to the Miami, Fla., omnirange station via the direct enroute and 15° southeast altitude change radials, including all the area bounded on the south and east by Amber civil airway No. 7 and on the northwest by the Key West to Miami 15° southeast altitude change radial."

10. Section 601.204 is amended to read:

§ 601.204 *Red civil airway No. 4 control areas Albuquerque, N. Mex., to Las Vegas, N. Mex.)*. All of Red civil airway No. 4 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Albuquerque, N. Mex., omnirange station to the Santa Fe, N. Mex., omnirange station via the Albuquerque 23° True and Santa Fe 253° True enroute radials; from the Santa Fe, N. Mex., omnirange station to the Las Vegas, N. Mex., omnirange station via the direct enroute and 15° south altitude change radials; from the Las Vegas, N. Mex., omnirange station to the Tucumcari, N. Mex., omnirange station via the direct enroute radials, including all that area bounded on the southwest by Red civil airway No. 4, on the northeast by the Las Vegas-Tucumcari direct enroute radials, and on the southeast by the Anton Chico-Tucumcari 15° north altitude change radial.

11. Section 601.211 *Red civil airway No. 11 control areas (Enid. Okla., to Boston, Mass.)*, is amended by changing the portion which reads: "from the Neosho, Mo., omnirange station to the Springfield, Mo., omnirange station via the direct enroute radials;" to read: "from the Neosho, Mo., omnirange statin to the Springfield, Mo., omnirange station via the direct enroute and 15° north and south altitude change radials;"

12. Section 601.231 *Red civil airway No. 31 control areas (Denver, Colo., to Minneapolis, Minn.)*, is amended by changing last portion to read: "from the Rapid City, S. Dak., omnirange station to the Philip, S. Dak., omnirange station via the direct enroute and 15° north altitude change radials; from the Philip, S. Dak., omnirange station to the Pierre, S. Dak., omnirange station via the direct enroute and 15° south altitude change radials; from the Pierre, S. Dak., omnirange station to the Huron, S. Dak., omnirange station via the direct enroute and 15° south altitude change radials; from the Huron, S. Dak., omnirange station to the Watertown, S. Dak., omnirange station via the direct enroute and 15° southeast altitude change radials."

13. Section 601.240 is amended by changing caption to read: *"Red civil airway No. 40 control areas (Kodiak, Alaska, to Anchorage, Alaska.)."*

14. Section 601.252 is amended to read:

§ 601.252 *Red civil airway No. 52 control areas (Memphis, Tenn., to Birmingham, Ala.)*. All of Red civil airway No. 52 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Memphis, Tenn., omnirange station to the Muscle Shoals, Ala., omnirange station via the direct enroute and 15° south altitude change radials, including all that area bounded on the northeast by Red civil airway No. 52, on the northwest by Green civil airway No. 5 and on the south by the Muscle Shoals-Memphis direct enroute radials.

15. Section 601.259 is amended to read:

§ 601.259 *Red civil airway No. 59 control areas (Garden City, Kans., to Oklahoma City, Okla.)*. All of Red civil airway No. 59 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Garden City, Kans., omnirange station to the Gage, Okla., omnirange station via the direct enroute and 15° east altitude change radials including all that area bounded on the west and southwest by Red civil airway No. 59 and on the northeast by the Garden City-Gage direct enroute radials; from the Gage, Okla., omnirange station to the Oklahoma City, Okla., omnirange station via the direct enroute and 15° south altitude change radials.

16. Section 601.268 *Red civil airway No. 68 control areas (El Paso, Tex., to Shreveport, La.)*, is amended by adding the following to present control area "From the San Angelo, Tex., omnirange station to the Abilene, Tex., omnirange station via the intersection of the San Angelo, Tex., omnirange 72° True enroute radial and the Abilene, Tex., omnirange 181° True enroute radial."

17. Section 601.270 is amended to read:

§ 601.270 *Red civil airway No. 70 control areas (Midland, Tex., to Oklahoma City, Okla.)*. All of Red civil airway No. 70 including all that area within 5 miles either side of the direct enroute radials from the Midland, Tex., omnirange station to the Lubbock, Tex., omnirange station.

18. Section 601.281 is amended by changing caption to read: *"Red civil airway No. 81 control areas (Cadillac, Mich., to Elkins, W. Va.)."*

19. Section 601.288 *Red civil airway No. 88 control areas (Albuquerque, N. Mex., to Hobbs, N. Mex.)*, is amended by deleting the words which read: "from the Albuquerque, N. Mex., omnirange station to the Corona, N. Mex., omnirange station via the direct enroute radials;" and by adding the following to read: "from the Albuquerque, N. Mex., omnirange station to the Corona, N. Mex., omnirange station via the direct enroute and the Albuquerque, N. Mex., 103° True and Corona, N. Mex., 828° True altitude change radials;"

20. Section 601.291 is amended to read:

§ 601.291 *Red civil airway No. 91 control areas (Salt Flat, Tex., to Hobbs, N. Mex.)*. All of Red civil airway No. 91 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Salt Flat, Tex., omnirange station to the Carlsbad, N. Mex., omnirange station via the direct enroute radials; from the Carlsbad, N. Mex., omnirange station to the Hobbs, N. Mex., omnirange station via the direct enroute and 15° south altitude change radials.

21. Section 601.602 is amended to read:

§ 601.602 *Blue civil airway No. 2 control areas (Montgomery, Ala., to Erie, Pa.)*. All of Blue civil airway No. 2 including all that area within 5 miles either side of the enroute and altitude change radials and the area between the altitude change and enroute radials from the Chattanooga, Tenn., omnirange station to the Knoxville, Tenn., omnirange station via the direct enroute and 15° northwest altitude change radials. From the Elkins, W. Va., omnirange station to the Morgantown, W. Va., radio range station via the Elkins omnirange direct enroute radial; from the Morgantown, W. Va., radio range station to the Pittsburgh, Pa., omnirange station via the Pittsburgh omnirange direct enroute radial; from the Pittsburgh, Pa., omnirange station to the Erie, Pa., omnirange station via the direct enroute radials.

22. Section 601.609 *Blue civil airway No. 9 control areas (Columbia, Mo., to U. S.-Canadian Border)*, is amended after the portion "from the Kirksville, Mo., omnirange station to the Des Moines, Iowa, omnirange station via the direct enroute and 15° northeast altitude change radials" by adding the following portion to read: "from the Des Moines, Iowa, omnirange station to the Mason City, Iowa, omnirange station via the direct enroute and 15° east and west altitude change radials;"

23. Section 601.621 is amended to read:

§ 601.621 *Blue civil airway No. 21 control areas (Charleston, W. Va., to Erie, Pa.)* All of Blue civil airway No. 21 including all that area within 5 miles either side of the enroute radials from the intersection of the Youngstown, Ohio, omnirange 180° True enroute radial and the Pittsburgh, Pa., omnirange 320° True enroute radial to the Youngstown, Ohio, omnirange station via the Youngstown 180° True enroute radial.

24. Section 601.622 *Blue civil airway No. 22 control areas (Memphis, Tenn., to Wichita, Kans.)*, is amended by adding the following portion in beginning of control area: "From the Pine Bluff, Ark., omnirange station to the Little Rock, Ark ., omnirange station via the the intersection of the Pine Bluff omnirange 07° True enroute radial and the Little Rock omnirange 141° True enroute radial."

25. Section 601.627 is amended to read:

§ 601.627 *Blue civil airway No. 27 control area (Kodiak, Alaska to Kotze-*

bue, Alaska). From the Kodiak, Alaska, radio range station to a line extended at right angles across such airway through a point 50 miles northwest of the King Salmon, Alaska, radio range station.

26. Section 601.632 is amended by changing caption to read: "*Blue civil airway No. 32 control areas (Pendleton, Oreg., to Talkeetna, Alaska)*."

27. Section 601.664 is amended to read:

§ 601.664 *Blue civil airway No. 64 control areas (Wink, Tex., to Hobbs, N. Mex.)*. All of Blue civil airway No. 64 including all that area within 5 miles either side of the direct enroute radials from the Wink, Tex., omnirange station to the Hobbs, N. Mex., omnirange station.

28. Section 601.1025 is amended to read:

§ 601.1025 *Control area extension (New Orleans, La.)*. All that area within a 25 mile radius of the New Orleans, La., radio range station located in the southeast quadrant and including all the area bounded on the west by the south course of the New Orleans, La., radio range on the south and east by the shoreline and on the north by Green civil airway No. 6.

29. Section 601.1034 is amended to read:

§ 601.1034 *Control area extension (Springfield, Mo.)*. All that area within a 25 mile radius of the Springfield, Mo., radio range station.

30. Section 601.1045 *Control area extension (Presque Isle, Maine)*, is amended by adding the following to the present control area extension: "including all that area bounded on the north and northeast by Blue civil airway No. 17, on the south by Red civil airway No. 86 and on the northwest by Amber civil airway No. 7."

31. Section 601.1084 is amended to read: "*Control area extension (Quincy, Ill.)*. All that area within a 25 mile radius of the Quincy non-directional radio beacon."

32. Section 601.1098 is amended to read:

§ 601.1098 *Control area extension (Casper, Wyo.)*. All that area within a 25 mile radius of the Casper, Wyo., radio range station in the northeast, southwest and northwest quadrants of the radio range, excluding the portion which overlaps danger areas.

33. Section 601.1101 *Control area extension (Madison, Wis.)*, is amended by adding the following to the present control area extension: "and extending 5 miles either side of a bearing 183° True from the Madison outer marker to a point 25 miles south of the outer marker."

34. Section 601.1106 is amended to read:

§ 601.1106 *Control area extension (Whidbey Island, Wash.)*. All that area beginning at lat. 48°30'00", long. 123°07'15", thence northeast to lat. 48°35'50", long. 122°58'40", thence east-northeast to lat. 48°42'15", long. 122°41'00", thence southerly to lat. 48°01'20", long. 122°27'10", thence northwesterly to lat. 48°06'30", long. 122°52'35", thence northwesterly to lat. 48°12'00", long. 122°59'30", thence to point of beginning, excluding the portions which overlap danger areas.

35. Section 601.1107 is amended to read:

§ 601.1107 *Control area extension (Topeka, Kans.)*. All that area within a 25 mile radius of the Topeka, Kans., omnirange station.

36. Section 601.1116 is amended to read:

§ 601.1116 *Control area extension (Hutchinson, Kans.)*. All that area within a 25 mile radius of the Hutchinson, Kans., radio range station.

37. Section 601.1117 *Control area extension (Lincoln, Nebr.)*, is amended by adding the following to present control area extension: "including all that area within a 20 mile radius of the Lincoln, Nebr., radio range station in the southwest quadrant of the radio range."

38. Section 601.1119 is amended to read:

§ 601.1119 *Control area extension (St. Louis, Mo.)*. All that area within a 25 mile radius of the St. Louis, Mo., radio range station in the northeast and southwest quadrants of the radio range.

39. Section 601.1155 is amended to read:

§ 601.1155 *Control area extension (Omaha, Nebr.)*. All that area within a 25 mile radius of the Omaha, Nebr., radio range station in the northwest and northeast quadrants of the radio range.

40. Section 601.1240 *Control area extension (Tyler, Tex.)*, is amended by adding the following to present control area extension: "including the area northeast of the radio range station bounded on the west by Red civil airway No. 37, on the north by Red civil airway No. 10 and on the south and southeast by Red civil airway No. 68."

41. Section 601.1275 is added to read:

§ 601.1275 *Control area extension (Fairbanks, Alaska)*. From the Fairbanks ILS localizer extending 5 miles either side of the localizer course to a point 25 miles northeast of the localizer.

42. Section 601.1276 is added to read:

§ 601.1276 *Control area extension (Cheyenne, Wyo.)*. All that area within a 25 mile radius of the Cheyenne, Wyo., radio range station in the southeast quadrant of the radio range.

43. Section 601.1277 is added to read:

§ 601.1277 *Control area extension (Denver, Colo.)*. All that area within a 25 mile radius of the Denver, Colo., radio range station in the southeast quadrant of the radio range, excluding the portion which overlaps danger areas.

44. Section 601.1278 is added to read:

§ 601.1278 *Control area extension (Des Moines, Iowa)*. All that area within a 25 mile radius of the Des Moines, Iowa, radio range station in the northwest and northeast quadrants of the radio range.

45. Section 601.1279 is added to read:

§ 601.1279 *Control area extension (Rapid City, S. Dak.)*. All that area within a 25 mile radius of the Rapid City, S. Dak., radio range station in the northwest, northeast and southeast quadrants of the radio range.

46. Section 601.1280 is added to read:

§ 601.1280 *Control area extension (Sheridan, Wyo.)*. All that area within a 25 mile radius of the Sheridan, Wyo., radio range station in the north and east quadrants of the radio range.

47. Section 601.1281 is added to read:

§ 601.1281 *Control area extension (Pueblo, Colo)*. All that area within a 25 mile radius of the Pueblo, Colo., radio range station in the northeast and southeast quadrants of the radio range.

48. Section 601.1282 is added to read:

§ 601.1282 *Control area extension (Wichita, Kans.)*. All that area within a 25 mile radius of the Wichita, Kans., radio range station in the southeast, southwest and northwest quadrants of the radio range.

49. Section 601.1283 is added to read:

§ 601.1283 *Control area extension (Toledo, Wash.)*. From the Toledo, Wash., radio range station extending 5 miles either side of the west course of the Toledo, Wash., radio range to a point 25 miles west of the radio range station, excluding the portion which overlaps danger areas.

50. Section 601.1284 is added to read:

§ 601.1284 *Control area extension (Oklahoma City, Okla.)*. All that area within a 25 mile radius of the Oklahoma City, Okla., radio range station.

51. Section 601.1285 is added to read:

§ 601.1285 *Control area extension (Shreveport, La.)*. All that area within a 25 mile radius of the Shreveport, La., radio range station including all that area within a 25 mile radius of the Barksdale Air Force radio range, Shreveport, La., lying to the east and southeast of the Barksdale Air Force radio range bounded on the north by Red civil airway No. 10 and on the west by Red civil airway No. 30.

52. Section 601.1286 is added to read:

§ 601.1286 *Control area extension (Fort Worth, Tex.)*. All that area southwest of the Fort Worth, Tex., radio range station bounded on the north by Green civil airway No. 5, on the east by Amber civil airway No. 4 and on the south and west by Red civil airway No. 68, and all that area northeast of the Fort Worth radio range station bounded on the west by Amber civil airway No. 4, on the east by Blue civil airway No. 5, on the south by Green civil airway No. 5 and on the southwest by Red civil airway No. 10.

53. Section 601.1287 is added to read:

§ 601.1287 *Control area extension (Houghton, Mich.)*. From the Houghton, Mich., radio range station extending

5 miles either side of the north and south courses of the radio range to points 25 miles north and south of the radio range station.

54. Section 601.1288 is added to read:

§ 601.1288 *Control area extension (Sault Ste. Marie, Mich.).* Within 5 miles either side of a bearing 330° True extending from the Kinross Airport through the Kinross outer marker to its intersection with the west course of the Sault Ste. Marie, Mich., radio range.

55. Section 601.1983, *3-mile control zone,* is amended by deleting the following airports:

El Dorado, Ark.: Goodwin Field.
Endicott, N. Y.: Tri-Cities Airport.

56. Section 601.1984, *5-mile control zone,* is amended by deleting the following airports:

Akron, Ohio: Akron-Canton County Airport.
Chicago, Ill.: O'Hare International Airport.
Louisville, Ky.: Standiford Field.
Oceana, Va.: Naval Auxiliary Air Station.
Port Heiden, Alaska: Port Heiden Airport.
St. Paul, Minn.: Helman Airport.
Williams, Calif.: C. A. A. Intermediate Field.

57. Section 601.2019 is amended to read:

§ 601.2019 *Providence, R. I., control zone.* Within a 5 mile radius of the Theodore Francis Green Airport extending 2 miles either side of the southwest course of the Providence radio range to a point 14 miles southwest of the radio range station.

58. Section 601.2082 is amended to read:

§ 601.2082 *Akron, Ohio, control zone.* Within a 5 mile radius of the Akron Municipal Airport extending 2 miles either side of the southwest course of the Akron, Ohio, radio range to a point 10 miles southwest of the radio range station, including a 5 mile radius of the Akron-Canton County Airport extending 2 miles either side of the Akron-Canton ILS localizer course to a point 10 miles south of the outer marker.

59. Section 601.2083 is amended to read:

§ 601.2083 *Alexandria, Minn., control zone.* Within a 5 mile radius of the Alexandria Municipal Airport extending 2 miles either side of the north course of the Alexandria radio range to a point 10 miles north of the radio range station, and within 2 miles either side of the 230° and 50° True radials of the Alexandria omnirange extending from the Alexandria airport control zone to a point 10 miles northeast of the omnirange station.

60. Section 601.2085 is amended to read:

§ 601.2085 *Bismarck, N. Dak., control zone.* Within a 5 mile radius of the Bismarck Municipal Airport extending 2 miles either side of the east course of the Bismarck radio range to a point 10 miles east of the radio range station, extending 2 miles either side of the Bismarck ILS localizer course to a point 10 miles southeast of the outer marker, and extending 2 miles either side of the 114° True radial of the Bismarck omnirange to a point 10 miles southeast of the omnirange station.

61. Section 601.2086 *Chicago, Ill., control zone* is amended by adding the following to the present control zone: "and extending 2 miles either side of the Chicago-Midway Airport ILS localizer course to a point 10 miles northwest of the Chicago-Midway outer marker, excluding the portion which overlaps the O'Hara International Airport control zone."

62. Section 601.2089 is amended to read:

§ 601.2089 *Cleveland, Ohio, control zone.* Within a 5 miles radius of the Cleveland Municipal Airport extending 2 miles either side of the west course of the Cleveland radio range to the Elyria fan marker, extending 2 miles either side of the Cleveland ILS localizer course to a point 10 miles southwest of the outer marker, and extending 2 miles either side of the 294° and 14° True radials of the Cleveland omnirange to a point 10 miles northwest of the omnirange station.

63. Section 601.2090 *Columbus, Ohio, control zone* is amended by adding the following to present control zone: "and extending 2 miles either side of the 50° and 230° True radials of the Columbus omnirange from the Port Columbus control zone to a point 10 miles northeast of the omnirange station."

64. Section 601.2093 *Dickinson, N. Dak., control zone* is amended by adding the following to present control zone: "and extending 2 miles either side of the 15° True radial of Dickinson omnirange to a point 10 miles north of the omnirange station."

65. Section 601.2096 is amended to read:

§ 601.2096 *Evansville, Ind., control zone.* Within a 5 mile radius of Dress Memorial Municipal Airport extending 2 miles either side of the north course of the Evansville radio range to a point 10 miles north of the radio range station, and within 2 miles either side of the centerline of the northeast-southwest runway of the Dress Memorial Municipal Airport extending from the Evansville outer marker to a point 10 miles northeast.

66. Section 601.2097 *Fargo, N. Dak., control zone* is amended by adding the following portion to present control zone: "and extending 2 miles either side of the 181° and 01° True radials of the Fargo omnirange station from the Fargo-Hector Airport control zone to a point 10 miles south of the omnirange station."

67 Section 601.2099 is amended to read:

§ 601.2099 *Fort Wayne, Ind., control zone.* Within a 5 mile radius of Baer Field, Fort Wayne, Ind., extending 2 miles either side of the southwest course of the Fort Wayne radio range to a point 10 miles southwest of the radio range station, extending 2 miles either side of the Fort Wayne ILS localizer course from the localizer to a point 10 miles southeast of the outer marker, and extending 2 miles either side of the 318° and 138° True radials of the Fort Wayne omnirange from the Baer Field control zone to a point 10 miles northwest of the omnirange station.

68. Section 601.2105 *Indianapolis, Ind., control zone* is amended by adding the following to present control zone: "extending 2 miles either side of the Weir-Cook County Airport localizer course to a point 10 miles southwest of the outer marker and extending 2 miles either side of the 323° and 143° True radials of the Indianapolis omnirange from the Weir-Cook County Airport control zone to a point 10 miles northwest of the omnirange station."

69. Section 601.2106 is amended to read:

§ 601.2106 *Jamestown, N. Dak., control zone.* Within a 5 mile radius of the Jamestown Municipal Airport extending 2 miles either side of the east course of the Jamestown radio range to a point 10 miles east of the radio range station and extending 2 miles either side of the 191° and 11° True radials of the Jamestown omnirange station from the Municipal Airport control zone to a point 10 miles south of the omnirange station.

70. Section 601.2108 is amended to read:

§ 601.2108 *Lansing, Mich., control zone.* Within a 5 mile radius of the Capital City Airport extending 2 miles either side of the east course of the Lansing radio range to a point 10 miles east of the radio range station and extending 2 miles either side of the 232° and 52° True radials of the Lansing omnirange from the Capital City Airport control zone to a point 10 miles southwest of the omnirange station.

71. Section 601.2109 is amended to read:

§ 601.2109 *LaFayette, Ind., control zone.* Within a 5 mile radius of Purdue University Airport extending 2 miles either side of the southwest course of the LaFayette radio range to a point 10 miles southwest of the radio range station and extending 2 miles either side of the 129° True radial of the LaFayette omnirange to a point 10 miles southeast of the omnirange station.

72. Section 601.2110 is amended to read:

§ 601.2110 *Lone Rock, Wis., control zone.* Within a 5 mile radius of the Municipal Airport extending 2 miles either side of the west course of the Lone Rock radio range to a point 10 miles west of the radio range station, and extending 2 miles either side of the 24° and 204° True radials of the Lone Rock omnirange from the Lone Rock Municipal Airport control zone to a point 10 miles northeast of the omnirange station.

73. Section 601.2111 is amended to read:

§ 601.2111 *Louisville, Ky., control zone.* Within a 5 mile radius of Standiford Field and within a 5 mile radius of Bowman Field extending 2 miles either side of the east course of the Louisville

radio range to the Eastwood fan marker, extending 2 miles either side of the Standiford Field ILS localizer course from the localizer to the limits of the Fort Knox, Ky., danger area, extending 2 miles either side of the 122° and 302° True radials of the Louisville omnirange from the Standiford Field control zone to a point 10 miles southeast of the omnirange station, and extending 2 miles either side of the 154° and 334° True radials of the Louisville omnirange from the Bowman Field control zone to a point 10 miles southeast of the omnirange station.

74. Section 601.2112 is amended to read:

§ 601.2112 *Madison, Wis., control zone.* Within a 5 mile radius of Madison Municipal Airport extending 2 miles either side of the southeast course of the Madison radio range to a point 10 miles southeast of the radio range station, and within 2 miles either side of the 183° and 03° True bearings from the outer marker extending from the Madison Municipal Airport control zone to a point 10 miles south of the outer marker.

75. Section 601.2113 *Milwaukee, Wis., control zone* is amended by adding the following to present control zone: "and extending 2 miles either side of the 187° and 07° True radials of the Milwaukee omnirange from the General Mitchell Airport control zone to a point 10 miles south of the omnirange station."

76. Section 601.2116 *Moline, Ill., control zone* is amended by adding the following to present control zone: "and extending 2 miles either side of the 294° and 114° True radials of the Moline omnirange from the Quad City Airport control zone to a point 10 miles northwest of the Moline omnirange station."

77. Section 601.2117 is amended to read:

§ 601.2117 *Muskegon, Mich., control zone.* Within a 5 miles radius of Muskegon County Airport extending 2 miles either side of the southeast course of the radio range to a point 10 miles southeast of the radio range station, and extending 2 miles either side of the 145° True radial of the Muskegon omnirange to a point 10 miles southeast of the omnirange station.

78. Section 601.2120 is amended to read:

§ 601.2120 *Rochester, Minn., control zone.* Within a 5 mile radius of the Rochester Airport extending 2 miles either side of the south course of the radio range to a point 10 miles south of the radio range station, and extending 2 miles either side of the 222° and 42° True radials of the Rochester omnirange from the Rochester Airport control zone to a point 10 miles southwest of the omnirange station.

79. Section 601.2122 is amended to read:

§ 601.2122 *Detroit, Mich., control zone.* Within a 5 mile radius of the Detroit-Wayne Major Airport and within a 6 mile radius of the Willow Run Airport extending 2 miles either side of the Willow Run ILS localizer front course to a point 10 miles southwest of the outer marker, extending 2 miles either side of the back course of the Willow Run ILS localizer to a point 10 miles northeast of the Ford non-directional radio beacon, and extending 2 miles either side of the 309° and 129° True radials of the Detroit omnirange from the Wayne Major control zone to a point 10 miles northwest of the omnirange station.

80. Section 601.2123 is amended to read:

§ 601.2123 *South Bend, Ind., control zone.* Within a 5 mile radius of St. Joseph County Airport extending 2 miles either side of the west course of the South Bend radio range to the New Carlisle fan marker, extending 2 miles either side of the South Bend, Ind., ILS localizer course from the St. Joseph County Airport control zone to a point 10 miles east of the outer marker, and extending 2 miles either side of the 359° True radial of the South Bend omnirange to a point 10 miles north of the omnirange station.

81. Section 601.2126 is amended to read:

§ 601.2126 *Toledo, Ohio, control zone.* Within a 5 mile radius of the Toledo Municipal Airport extending 2 miles either side of the south course of the Toledo radio range to the Bowling Green fan marker, and extending 2 miles either side of the 134° True radial of the Toledo omnirange to a point 10 miles southeast of the omnirange station.

82. Section 601.2129 is amended to read:

§ 601.2129 *Bowling Green, Ky., control zone.* Within a 5 mile radius of the Bowling Green Municipal Airport extending 2 miles either side of the southeast course of the Bowling Green radio range to a point 10 miles southeast of the radio range station, and extending 2 miles either side of the 203° True radial of the Bowling Green omnirange to a point 10 miles southwest of the omnirange station.

83. Section 601.2221 is amended to read:

§ 601.2221 *LaCrosse, Wis., control zone.* Within a 5 mile radius of the LaCrosse Municipal Airport extending 2 miles either side of the northwest course of the LaCrosse radio range to a point 10 miles northwest of the radio range station and extending 2 miles either side of the 146° True radial of the LaCrosse omnirange to a point 10 miles southeast of the omnirange station.

84. Section 601.2225 *Mansfield, Ohio, control zone* is amended by adding the following portion to present control zone: "and extending 2 miles either side of the 130° and 310° True radials of the Mansfield omnirange from the Mansfield Municipal Airport control zone to a point 10 miles southeast of the omnirange station."

85. Section 601.2228 *Fairbanks, Alaska control zone* is amended by adding the following: "excluding the portion which overlaps danger areas."

86. Section 601.2273 is amended to read:

§ 601.2273 *Cincinnati, Ohio, control zone.* Within a 5 mile radius of Greater Cincinnati Airport, Covington, Ky., extending 2 miles either side of the front course of the Cincinnati ILS localizer to its intersection with the southwest course of the Cincinnati radio range, extending 2 miles either side of the back course of the Cincinnati ILS localizer to its intersection with the northwest course of the Cincinnati radio range, and extending 2 miles either side of the 223° True radial of the Cincinnati omnirange to a point 10 miles southwest of the omnirange station.

87. Section 601.2292 is added to read:

§ 601.2292 *Oceana, Va., control zone.* Within a 5 mile radius of the Oceana Virginia Naval Auxiliary Air Station excluding the portion overlapping danger areas.

88. Section 601.2293 is added to read:

§ 601.2293 *Chicago, Ill., control zone.* Within a 5 mile radius of the Chicago O'Hare International Airport extending 2 miles either side of the O'Hare ILS localizer course to a point 10 miles northwest of the O'Hare outer marker.

89. Section 601.2294 is added to read:

§ 601.2294 *St. Paul, Minn., control zone.* Within a 5 mile radius of Holman Field, St. Paul, Minn., extending 2 miles either side of the 40° True and 220° True radials of the Minneapolis, Minn., omnirange from the Holman Field control zone to a point 10 miles southwest of the Minneapolis omnirange station.

90. Section 601.4017 is amended to read:

§ 601.4017 *Green civil airway No. 7 (Nome, Alaska, to Fairbanks, Alaska).* The intersection of the west course of the Fairbanks, Alaska radio range and the northwest course of the Nenana, Alaska radio range; Fairbanks, Alaska, radio range station.

91. Section 601.4018 *Green civil airway No. 8 (Cold Bay, Alaska to Northway, Alaska),* is amended by deleting the following compulsory reporting point: "Port Heiden, Alaska radio range station;"

92. Section 601.4103 *Amber civil airway No. 3 (El Paso, Tex., to Great Falls, Mont.),* is corrected by changing the name "Hot Springs, N. Mex." to read: "Truth or Consequences, N. Mex."

93. Section 601.4107 *Amber civil airway No. 7 (Key West, Fla., to U. S.-Canadian Border),* is amended after "Augusta, Maine radio range station;" by adding the following compulsory reporting point: "the intersection of the southwest course of the Millinocket, Maine, radio range and the northwest course of the Bangor, Maine, radio range;"

94. Section 601.4222 *Red civil airway No. 22 (Mount Clemens, Mich., to Albany, New York),* is amended by adding the following compulsory reporting point to present reporting point: "the intersection of the southeast course of the

Utica, N. Y., radio range and the west course of the Albany, N. Y., radio range."

95. Section 601.4240 is amended by changing caption to read: *"Red civil airway No. 40 (Kodiak, Alaska to Anchorage, Alaska)*, and by deleting the following compulsory reporting point: "The intersection of the west course of the Kodiak, Alaska radio range and the southeast course of the King Salmon, Alaska, radio range;"

96. Section 601.4281 is amended by changing the caption to read: *"Red civil airway No. 81 (Cadillac, Mich., to Elkins, W. Va.)"*

97. Section 601.4627 is amended to read:

§ 601.4627 *Blue civil airway No. 27 (Kodiak, Alaska to Kotzebue, Alaska).* The intersection of the west course of the Kodiak, Alaska, radio range and the southeast course of the King Salmon, Alaska, radio range.

98. Section 601.4632 is amended by changing caption to read: *"Blue civil airway No. 32 (Pendleton, Oreg., to Talkeetna, Alaska)"*

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t. September 4, 1951.

[SEAL] C. F. HORNE,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-10701; Filed, Sept. 4, 1951; 9:05 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 5332]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

KLEEREX CO.

Subpart—*Advertising falsely or misleadingly:* § 3.170 *Qualities or properties of product or service.* In connection with the offering for sale, sale, or distribution in commerce, of a preparation for the treatment of pimples known as Kleerex, under that name or under any other name, or of any product of substantially the same composition as said product Kleerex, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, the purchase in commerce, etc., of said product, which advertisements represent directly or by implication that the application of said product Kleerex will cause pimples to disappear overnight or that the user thereof will have a clear complexion the day following its use at night; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Modified cease and desist order, Milton W. Folds et al. d. b. a. Kleerex Company, July 6, 1951]

In the Matter of Milton W. Folds, Jessie D. Folds, and Jessie May Folds, Copartners Doing Business Under the Name Kleerex Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, recommended decision and supplemental recommended decision of the trial examiner, and the exceptions filed thereto, and briefs filed in support of and in opposition to the complaint (oral argument not having been requested); and the Commission, having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act and issued its order to cease and desist on June 6, 1950; and

Respondents Jessie D. Folds and Jessie May Folds, surviving copartners of Kleerex Company, having filed in the United States Court of Appeals for the Seventh Circuit their petition to review and set aside the order to cease and desist issued herein, and that Court having heard the matter on briefs and oral argument and fully considered the matter, and having, thereafter, on April 18, 1951, entered its final decree modifying and affirming, as modified, the aforesaid order to cease and desist pursuant to its opinion announced on March 23, 1951:

Now therefore it is hereby ordered, That respondents Jessie D. Folds and Jessie May Folds, individually and as surviving copartners of Kleerex Company, their officers, representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of a preparation for the treatment of pimples known as Kleerex, under that name or under any other name, or of any product of substantially the same composition as said product Kleerex, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication that the application of said product Kleerex will cause pimples to disappear overnight or that the user thereof will have a clear complexion the day following its use at night.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce directly or indirectly the purchase of said product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph 1 hereof.

It is further ordered, That respondents Jessie D. Folds and Jessie May Folds shall, within ninety (90) days after the entry of the aforesaid decree by the United States Court of Appeals for the Seventh Circuit, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 6, 1951.

By the Commission.

[SEAL] WM. P. GLENDENING, JR.,
Acting Secretary.

[F. R. Doc. 51-10646; Filed, Sept. 4, 1951; 8:51 a. m.]

[Docket 5680]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CONSUMER SALES CORP. ET AL.

Subpart—*Misrepresenting oneself and goods; business status, advantages or connections:* § 3.1395 *Connections and arrangements with others;* § 3.1513 *Operations generally: Prices;* § 3.1825 *Usual as reduced or to be increased.* Subpart—*Offering unfair, improper and deceptive inducements to purchase or deal;* § 3.2070 *Special offers, savings and discounts;* § 3.2080 *Terms and conditions.* In connection with the offering for sale, sale or distribution of aluminum cookware, dinnerware, silverware, or other merchandise, in commerce, representing, directly or by implication, (1) that the respondents, or any of them are connected or represent in any manner any soap manufacturer or any other company or organization unless such is the fact; (2) that the respondents or any of them are making or conducting a survey; (3) that the purchasers of the said merchandise are being given a reduced price for such merchandise or any other valuable consideration as a premium or reward for their collection of box tops, cooperation in furnishing information or participation in any other similar project or activity; or, (4) that said merchandise is being sold at a special price when the price at which it is sold is the usual and customary price at which respondents sell such merchandise in the ordinary course of their business; prohibited.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Consumer Sales Corporation et al., Docket 5680, June 27, 1951]

In the Matter of Consumer Sales Corporation, a Corporation, Julius J. Blumenfeld and Myron J. Collin, Individually and as Officers of Consumer Sales Corporation

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, respondents' answer thereto, testimony and other evidence in support of and in opposition to the allegations of the complaint introduced before a trial examiner of the Commission theretofore duly des-

ignated by it, the trial examiner's recommended decision and exceptions thereto by counsel for respondents and briefs and oral argument of counsel; and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Consumer Sales Corporation, a corporation, and its officers, agents, representatives, and employees, and the individual respondents, Julius J. Blumenfeld and Myron J. Collin, and their respective agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of aluminum cookware, dinnerware, silverware, or other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

(1) That the respondents or any of them are connected with or represent in any manner, any soap manufacturer or any other company or organization unless such is the fact.

(2) That the respondents or any of them are making or conducting a survey.

(3) That the purchasers of the said merchandise are being given a reduced price for such merchandise or any other valuable consideration as a premium or reward for their collection of box tops, cooperation in furnishing information or participation in any other similar project or activity.

(4) That said merchandise is being sold at a special price when the price at which it is sold is the usual and customary price at which respondents sell such merchandise in the ordinary course of their business.

It is further ordered, That said respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth the manner and form in which they have complied with said order.

Issued: June 27, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-10645; Filed, Sept. 4, 1951; 8:51 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter L—Irrigation Projects, Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

CROW INDIAN IRRIGATION PROJECT, MONTANA

On July 19, 1951, there was published in the daily issue of the FEDERAL REGISTER notice of intention to further modify § 130.13b *Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Reservation, Montana, Charges;* § 130.13c *Upper Little Horn Irrigation District, Crow Indian Reservation, Montana, Charges;* and § 130.13d *Time of payment* of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Crow Indian Irrigation Project, Montana, that are subject to the jurisdiction of the several irrigation districts. Interested persons were thereby given the opportunity to participate in preparing the proposed amendments by submitting their view and data, in writing, within 30 days from the date of publication of the notice. No written comments, data or arguments having been received within the prescribed period, the said sections are hereby amended as follows and are effective for the season of 1952 and thereafter until further notice:

Charges applicable to all irrigable lands of the Crow Indian Project receiving benefits from the Willow Creek storage and which are included in an irrigation district organization and are subject to the jurisdiction of these districts.

§ 130.13b *Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Reservation, Montana.* Pursuant to a contract executed by the Lower Little Horn and Lodge Grass Irrigation District, Crow Indian Irrigation Project, Montana, and approved by the Secretary of the Interior on June 28, 1948, notice is hereby given that an assessment of $5,500 is hereby fixed for the season of 1952 for the operation and maintenance of the irrigation systems which serve that portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District. This assessment involves an area of approximately 2,430 acres; does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

Pursuant to a second contract executed by the above irrigation district and approved by the Assistant Secretary of the Interior on June 28, 1951, an assessment of ten cents ($0.10) per acre is hereby fixed for the season of 1952 for the operation and maintenance of the Willow Creek storage works which serve storage water either directly or by substitution to that portion of the project within the confines and under the jurisdiction of the Lower Little Horn and Lodge Grass Irrigation District.

§ 130.13c *Upper Little Horn Irrigation District, Crow Indian Reservation, Montana.* Pursuant to a contract executed by the Upper Little Horn Irrigation District, Crow Indian Irrigation Project, Montana, and approved by the Secretary of the Interior on June 28, 1948, an assessment of $3,300 is hereby fixed for the season of 1952 for the operation and maintenance of the irrigation systems which serve storage water either directly or by substitution to that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District. This assessment involves an area of approximately 1460 acres; does not include any land held in trust for Indians and covers all proper general charges and project overhead.

Pursuant to a second contract executed by the above irrigation district and approved by the Assistant Secretary of the Interior of June 28, 1951, an assessment of ten cents ($0.10) per acre is hereby fixed for the season of 1952 for the operation and maintenance of the Willow Creek storage works which serve storage water either directly or by substitution to that portion of the project within the confines and under the jurisdiction of the Upper Little Horn Irrigation District.

§ 130.13d *Time of payment.* The amount of assessments fixed in §§ 130.13a, 130.13b and 130.13c shall be paid by the respective irrigation districts to the United States, one-half thereof on or before February 1, in advance of the delivery of water for that season, and the remainder on or before July 1 following, of each year. To all assessments not paid on July 1 of each year, there shall be added a penalty of one-half of one per cent per month, or fraction thereof, from the due date so long as the delinquencies continue; and the right is reserved to refuse delivery of water to a district or individual landowner in the event of default by the district or landowner in the payment of assessments, including penalties on account of delinquencies.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

PAUL L. FICKINGER,
Area Director.

[F. R. Doc. 51-10591; Filed, Sept. 4, 1951; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[Regs. 103, 111; T. D. 5853]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

TAXATION OF EMPLOYEE BENEFICIARIES OF CERTAIN PENSION TRUSTS

On May 2, 1951, notice of proposed rule making regarding section 5 of Public Law 378, 81st Congress, approved October 25, 1949, relating to taxation of employee beneficiaries of certain pension trusts, was published in the FEDERAL REGISTER (16 F. R. 6565). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments to Regulations 111 (26 CFR Part 29), and Regulations 103 (26 CFR Part 19) set forth below are hereby adopted. Such amendments are necessary in order to conform such regulations to section 5 of Public Law 378, 81st Congress.

PARAGRAPH 1. Section 29.22 (b) (2)-5 is amended as follows:

(A) By amending the third sentence of such section to read as follows: "Except as provided in section 165 (d), if an employer purchases an annuity contract which is not under a plan with respect to which his contribution is deductible under section 23 (p) (1) (B), the amount of such contribution shall be included in the income of the employee in the taxable year during which

such contribution is made, if the employee's rights under the annuity contract are nonforfeitable, except for failure to pay future premiums, at the time the contribution is made."

(B) By inserting immediately after the first paragraph of such section the following new paragraph:

If an employer has purchased annuity contracts and transferred the same to a trust or if an employer has made contributions to a trust for the purpose of providing annuity contracts for his employees as provided in section 165 (d) (see § 29.165–7), the amount so paid or contributed is not required to be included in the income of the employee, but any amount received or made available to the employee under the annuity contract shall be includible in the gross income of the employee in the taxable year in which received or made available. In such case the amount paid or contributed by the employer shall not constitute consideration paid by the employee for such annuity contract in determining the amount of annuity payments required to be included in his gross income under section 22 (b) (2) unless the employee has paid income tax for any taxable year beginning prior to January 1, 1949, with respect to such payment or contribution by the employer for such year and such tax is not credited or refunded to the employee. In the event such tax has been paid and not credited or refunded the amount paid or contributed by the employer for such year shall constitute consideration paid by the employee for the annuity contract in determining the amount of the annuity required to be included in the income of the employee under section 22 (b) (2) (A). For example, an employer in 1939 purchased and transferred to a trust meeting the requirements of section 165 (d) a life annuity contract (payable in annual installments of $5,000) for an employee at a cost to the employer of $50,000. If the employee included the $50,000 in his gross income for such year and paid a tax with respect thereto and if it be assumed that such year is closed so that the amount so paid cannot be credited or refunded, only $1,500 of each $5,000 yearly annuity payment to the employee will be required to be included in his gross income (3 percent of $50,000), $3,500 being exempt. If the employee should live long enough to receive as exempt $50,000, then all amounts he receives thereafter under the annuity contract would be included in gross income. If, in the foregoing case, the employee's taxable year 1939 was not closed and the employee secured a refund or credit of the tax previously paid with respect to the $50,000 premium payment made by his employer then all amounts received under the annuity contract will be required to be included in his gross income.

PAR. 2. There is inserted immediately preceding § 29.165–1 the following:

PUBLIC LAW 378 (EIGHTY-FIRST CONGRESS, FIRST SESSION), APPROVED OCTOBER 25, 1949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

SEC. 5. EMPLOYEE ANNUITY CONTRACTS.

(a) Section 165 of the Internal Revenue Code (relating to employees trusts) is hereby amended by adding at the end thereof the following new subsection:

(d) *Certain employees' annuities.* Notwithstanding subsection (c) or any other provision of this chapter, a contribution to a trust by an employer shall not be included in the income of the employee in the year in which the contribution is made if—

(1) Such contribution is to be applied by the trustee for the purchase of annuity contracts for the benefit of such employee;

(2) Such contribution is made to the trustee pursuant to a written agreement entered into prior to October 21, 1942, between the employer and the trustee, or between the employer and the employee; and

(3) Under the terms of the trust agreement the employee is not entitled during his lifetime, except with the consent of the trustee, to any payments under annuity contracts purchased by the trustee other than annuity payments.

The amount so contributed by the employer shall not constitute consideration paid by the employee for such annuity contract in determining the amount of annuity payments required to be included in his gross income under section 22 (b) (2); except that if the tax imposed by this chapter for any taxable year beginning before January 1, 1949, has been paid by the employee with respect to such contribution for such year, and not credited or refunded, the amount so contributed for such year shall constitute consideration paid by the employee for such annuity contract. This subsection shall have no application with respect to amounts contributed to a trust after June 1, 1949, if the trust on such date was exempt under subsection (a). For the purposes of this subsection, amounts paid by an employer for the purchase of annuity contracts which are transferred to the trustee shall be deemed to be contributions made to a trust or trustee and contributions applied by the trustee for the purchase of annuity contracts; the term "annuity contracts purchased by the trustee" shall include annuity contracts so purchased by the employer and transferred to the trustee; and the term "employee" shall include only a person who was in the employ of the employer, and was covered by the agreement referred to in paragraph (2), prior to October 21, 1942.

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

PAR. 3. The first sentence of § 29.165–6 is amended to read as follows: "Section 165 (b), (c) and (d) relates to the taxation of the beneficiary of an employee's trust."

PAR. 4. Section 29.165–7 is amended as follows:

(A) By striking out the heading and the first sentence of such section and inserting in lieu thereof the following:

§ 29.165–7 *Treatment of beneficiary of a trust not exempt under section 165 (a)*—(a) *In general.* Generally, any contribution made by an employer on behalf of an employee to a trust during a taxable year of the employer which ends within or with a taxable year of the trust for which the trust is not exempt under section 165 (a), shall be included in income of the employee for his taxable year during which the contribution is made if the employee's beneficial interest in the contribution is nonforfeitable at the time the contribution is made. But see section 165 (d) and paragraph (b) of this section.

(B) By adding at the end of such section the following new paragraph:

(b) *Effect of section 165 (d).* If the requirements of section 165 (d) are met, a contribution made by an employer on behalf of an employee to a trust which is not exempt under section 165 (a) shall not be included in the income of the employee in the year in which the contribution is made. Such contribution will be taxable to the employee, when received in later years, as an annuity. (See § 29.22 (b) (2)–5.) The intent and purpose of section 165 (d) is to give those employees, covered under certain nonexempt trusts to which such section applies, essentially the same tax treatment as those covered by trusts qualifying under section 165 (a).

Every person claiming the benefit of section 165 (d) must be able to demonstrate to the satisfaction of the Commissioner that all of the provisions of such section are met. The taxpayer must produce sufficient evidence to prove:

(1) That, prior to October 21, 1942, he was employed by the particular employer making the contribution in question and was at such time definitely covered by a written agreement, entered into prior to October 21, 1942, between himself and the employer, or between the employer and the trustee of a trust established by the employer prior to October 21, 1942, and that the contribution by the employer was made pursuant to such agreement. The fact that an employee may have been potentially covered is not sufficient. Evidence that the employment was entered into, or the agreement executed, "as of" a date prior to October 21, 1942, or that the agreement or trust instrument which did not theretofore meet the requirements of section 165 (d) was modified or amended after October 20, 1942, so as to come within the provisions of such section, will not satisfy the requirements of section 165 (d).

(2) That such contribution, pursuant to the terms of such agreement, was to be applied for the purchase of an annuity contract for the taxpayer. In the case of a contribution by the employer of an annuity contract purchased by such employer and transferred by him to the trustee of the trust, evidence should be presented to prove that such contract was purchased for the taxpayer by the employer pursuant to the terms of a written agreement between the employer and the employee or between the employer and the trustee, entered into prior to October 21, 1942.

(3) That under the written terms of the trust agreement the taxpayer is not entitled during his lifetime, except with the consent of the trustee, to any payments other than annuity payments under the annuity contract or contracts purchased by the trustee or by the employer and transferred to the trustee, and that the trustee may grant or withhold such consent free from control by the taxpayer, the employer or any other person (for definition of annuity payments, see § 29.22 (b) (2)–2. However, such control will not be presumed from the fact that the trustee is himself an officer or employee of the employer. As used in section 165 (d) the phrase "if * * * under the terms of the trust

agreement the employee is not entitled" means that the trust instrument must make it impossible for the prohibited distribution to occur, whether by operation or natural termination of the trust, whether by power of revocation or amendment, other than with the consent of the trustee, whether by the happening of a contingency, by collateral arrangement, or any other means. It is not essential that the employer relinquish all power to modify or terminate the trust but it must be impossible, except with the consent of the trustee, for any payments under annuity contracts purchased by the trustee, or by the employer and transferred to the trustee, to be received by the taxpayer, directly or indirectly, other than as annuity payments.

(4) The nature and amount of such contribution and the extent to which income taxes have been paid thereon prior to January 1, 1949, and not credited or refunded.

(5) If it is claimed that section 165 (d) applies to amounts contributed to a trust after June 1, 1949, the taxpayer must prove to the satisfaction of the Commissioner that the trust did not, on June 1, 1949, qualify for exemption under section 165 (a). Where an employer buys an annuity contract which is transferred to the trustee, the date of the purchase of the annuity contract and not the date of the transfer to the trustee is the controlling date in determining whether or not the contribution was made to the trust after June 1, 1949.

PAR. 5. The above amendments to Regulations 111 (26 CFR Part 29), which regulations are applicable to taxable years beginning after December 31, 1941, are hereby made applicable to any taxable year beginning after December 31, 1938, and prior to January 1, 1942, which is covered by Regulations 103 (26 CFR Part 19).

(53 Stat. 32; 26 U. S. C. 62. Interprets or applies 53 Stat. 67, as amended; 26 U. S. C. 165)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: August 29, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-10644; Filed, Sept. 4, 1951; 8:50 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

1. Paragraph (a) of § 562.13 is amended to read as follows:

§ 562.13 *Conditions for establishment and retention of units.* (a) Before an ROTC unit may be established at an educational institution, such institution must be accredited by the appropriate national or regional accrediting agency, and there must be insured to each such ROTC unit an enrollment of at least 100 physically fit male students, except in Alaska (sec. 40, National Defense Act; 39 Stat. 191; 10 U. S. C. 381), who are citizens of the United States and who are not less than 14 years of age; except that the minimum enrollment required for units of the administrative and technical services (Chemical Corps, Corps of Engineers, Ordnance Corps, Quartermaster Corps, Signal Corps, Military Police Corps, Transportation Corps, Army Security Agency, and all medical units) is 50 students who meet the above qualifications. The minimum enrollment of 100 students will be maintained by each school within a junior division multiple ROTC unit.

* * * * *

2. In § 562.21 the last sentence of paragraph (b), the second sentence of paragraph (d) (1) and the first sentence of paragraph (d) (2) are amended to read as follows:

§ 562.21 *General conditions for enrollment in ROTC.* * * *

(b) * * * Applications for waivers of physical defects will be forwarded through channels to The Adjutant General, Washington 25, D. C., Attn: AGAO–R, together with a report of physical examination recorded on Standard Form 88 (Report of Medical Examination), setting forth the exceptional circumstances which warrant the granting of a waiver.

* * * * *

(d) Qualified morally. (1) * * * Request for waiver of any conviction by a civil or military court may be submitted by an applicant, through military channels, to The Adjutant General, Washington 25, D. C., Attn: AGAO–R, for review and final determination when the offense is nonrecurring and does not involve moral turpitude, provided such request is accompanied by recommendation of the professor of military science and tactics concerned that a waiver be granted. * * *

(2) Advanced course students presently enrolled in the ROTC who have been convicted by any civil court or by any type of court martial, for other than a minor traffic violation, will be required to submit a request through military channels, to The Adjutant General, Washington 25, D. C. ATTN: AGAO–R, for a waiver of conviction. * * *

[C 3, AR 145-350, Aug. 20, 1951] (R. S. 161; 5 U. S. C. 22. Interpret or apply 39 Stat. 191, as amended, sec. 34, 44 Stat. 778; 10 U. S. C. 354, 381-388, 441)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-10590; Filed, Sept. 4, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 31, Amendment 9]

CPR 31—IMPORTS

EXEMPTION OF WHOLESALERS OF IMPORTED ALCOHOLIC BEVERAGES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 9 to Ceiling Price Regulation 31 is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 31 prescribes formulae pursuant to which ceiling prices for sales by wholesalers of imported commodities covered by the regulation are to be calculated. Wholesalers of imported alcoholic beverages have indicated several ways in which this regulation does not conform to their customary manner of doing business and, consequently, the burden of calculation which is placed upon them. It is planned to issue tailored regulations for wholesalers of alcoholic beverages in the near future which will provide pricing techniques more suited to the industry practices. Therefore, were these wholesalers to remain under CPR 31, which becomes mandatorily effective for them on September 1, 1951, they would be required to calculate their ceiling prices twice within a relatively short period of time. Since it appears that ceiling prices established for those commodities under the General Ceiling Price Regulation, as amended, will neither exert undue hardship nor vary materially from those which would be established under CPR 31, it would be unnecessarily burdensome to require the wholesale distributors of alcoholic beverages to make the detailed calculations required by CPR 31.

For these reasons the Director of Price Stabilization has found it desirable to issue this amendment which removes wholesalers of imported distilled spirits and wines from CPR 31. These wholesalers are to determine their ceiling prices under the General Ceiling Price Regulation until the issuance, in the near future, of a tailored regulation for them.

In the judgment of the Director of Price Stabilization, the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

In formulating this amendment the Director has consulted with representatives of the industry to the extent practicable under the circumstances and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Appendix A of Ceiling Price Regulation 31 is amended by the addition of the following paragraph:

4. Commodities excepted from this regulation because they are or will be adequately dealt with under other regulations are as follows:

	Paragraph
Distilled spirits—but only when sold by non-importing wholesalers	802
Wines—but only when sold by non-importing wholesalers	803, 804

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 9 to Ceiling Price Regulation 31 shall become effective August 31, 1951.

EDWARD F. PHELPS, JR.,
Acting Director of Price Stabilization.

AUGUST 31, 1951.

[F. R. Doc. 51-10725; Filed, Aug. 31, 1951; 4:24 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 57]

GCPR, SR 57—Sales of GR–S Type of Synthetic Rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 57 to the General Ceiling Price Regulation is hereby issued.

Statement of considerations

This regulation establishes ceiling prices for sales of GR-S type synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation. Since 1942, the Reconstruction Finance Corporation has, through its Office of Rubber Reserve, performed the functions of the Government with respect to the production and sale of synthetic rubber. These activities are currently carried out in accordance with the provisions of Public Law 469 (Rubber Act of 1948) enacted by the 80th Congress and the President's Executive Order 9942, dated April 1, 1948. Public Law 475, 81st Congress, extended the earlier legislation, and the authority for operation of the program was subsequently extended to June 30, 1952.

At the present time, R. F. C.'s synthetic rubber activities involve the production of materials having a value in excess of $1 million per day at some 29 plants located in various parts of the country. The Government investment in synthetic rubber facilities as of June 30, 1951 was approximately $500 million. The two types of synthetic rubber currently being produced are GR-S (butadiene-styrene copolymer) and GR-I (butyl rubber). In addition to rubber production, the Reconstruction Finance Corporation is responsible for maintaining any idle rubber-producing facilities in stand-by condition and for reactivating them whenever national rubber needs so dictate. It is also authorized to undertake research and development activities necessary to maintain a technologically advanced domestic synthetic rubber industry.

Following the outbreak of hostilities in Korea, the demands for rubber for stockpiling, inventory building and current civilian requirements resulted in a gradual reactivation program for synthetic rubber facilities to supplement high cost natural rubber supplies, and to aid in their conservation. Both synthetic and natural rubber are now allocated by the National Production Authority. The GR–S and butyl rubber is sold by R. F. C. to approximately 800 private purchasers throughout the country, virtually all of whom are producers of end products containing various percentages of synthetic rubber. The bulk of such rubber is used in the manufacture of tires and tubes.

In the conduct of its synthetic rubber operations, the R. F. C. is guided by the principle of break even operations, and this principle is applied by the Office of Rubber Reserve in establishing its prices for synthetic rubber. In November, 1950, the R. F. C. applied to the Economic Stabilization Agency for an increase in the price of GR–S rubber from 18½- to a 24½-cent level to reflect the cost of reactivating idle synthetic rubber facilities, as well as the higher estimated cost of production of such of those facilities as produce synthetic rubber from ethyl alcohol. In addition, the increase was to cover moderate anticipated price rises for the petroleum base raw materials used in the less costly process for making synthetic rubber, as well as a margin for contingencies inherent in the projecting of costs of rehabilitation and future operation of idle alcohol butadiene plants. Further, R. F. C. reported a freight allowance so that all synthetic rubber could be sold at a uniform delivered price to consumers.

The Economic Stabilization Agency acceded, in effect, to the R. F. C. request for a 24½-cent selling price for GR–S rubber, effective December 1, 1950. In taking this action, the Economic Stabilization Agency recognized the exigencies of the defense situation and found the no-profit, no-loss principle an appropriate basis for pricing synthetic rubber.

In July 1951, the Office of Rubber Reserve advised the Office of Price Stabilization that the price of 24.5 cents per pound for GR–S rubber established in December, 1950 would be inadequate to permit its GR–S operations to expand still further and still break even during the fiscal year ending June 30, 1952. It requested a further price increase to 26½ cents per pound. The Office of Price Stabilization was informed that the proposed higher price was needed to cover additional costs of operation expected to result from increase in the rate of GR–S production by about 100,000 tons per year above the current rate of 760,000 tons per year. This new and higher level of production could be attained chiefly by expanding GR–S production from alcohol to a point where about 31 percent of the GR–S rubber will be based upon alcohol. In addition to the margin for contingencies previously used by Reconstruction Finance Corporation, there have also been included further reactivation expense, and other expected costs. Without this adjustment in price, the Reconstruction Finance Corporation asserts that the risk of operating at a loss is so great as to imperil the program of full operation of high cost GR–S facilities, and that even at this proposed 26½-cent price, synthetic rubber will still be roughly 50 percent of the cost of natural rubber.

Moreover, recent reductions in the price of natural rubber from 66 to 52 cents per pound should more than offset, on an average, the effects of the proposed synthetic rubber price increase and, to the extent that it increases the displacement of natural by synthetic rubber, it should result in a lower overall average cost of rubber raw materials to the rubber industry.

At the same time, the Reconstruction Finance Corporation had made public that it was planning the disposal of the Government-owned synthetic rubber plants to private producers. The Reconstruction Finance Corporation is authorized to sell or lease surplus facilities not necessary to fulfill the requirements of the Rubber Act of 1948. The Administrator of the Reconstruction Finance Corporation indicated that if the plants were to be transferred to private ownership, the price of synthetic rubber would have to be higher than at present in order to assure private owners a fair profit, and to assure taxpayers of reasonable selling values for transferred facilities.

This regulation increases the ceiling price of GR–S rubber to 26 cents per pound, effective September 1, 1951. The reduced figure is acceptable to the Reconstruction Finance Corporation.

In granting this increase, the Office of Price Stabilization recognizes that the Reconstruction Finance Corporation's synthetic rubber program is essential both to the national defense and to the development of additional quantities of low cost synthetic rubber to replace higher cost natural rubber. It also recognizes that this operation must be conducted without loss to the Government. At the same time, the Office of Price Stabilization wishes to stress its obligation to reduce synthetic rubber prices whenever production costs undergo a significant decrease, such as those which might result from wholly or partially shutting down high cost GR–S facilities based upon alcohol.

Regulatory provisions

Sec.

Authority: Sections 1 to 3 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

Section 1. *What this Supplementary Regulation does.* This Supplementary Regulation establishes dollar and cent ceiling prices for sales of GR–S type of synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation and the freight charges that may be added thereto.

Sec. 2. *Ceiling prices for sales of GR–S type of synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation.* The ceiling prices for sales of GR–S type of synthetic rubber by the Office of Rubber Reserve, Reconstruction Finance Corporation, f. o. b. point of production, are as follows:

GR–S	26 cents per pound.
GR–S latex:	
Types 5, 6, 7, 8, x619, x621, x635, x653	27.75 cents per pound.
Other types	26 cents per pound.
Masterbatch GR–S, Polymer	As specified in the RFC memo to rubber manufacturers dated Aug. 24, 1951.
GR–S x–278 SP produced at Naugatuck, Conn.	27.25 cents per pound.
All other solid GR–S produced at Naugatuck, Conn.	0.75 cent per pound over and above the base selling price.

SEC. 3. *Delivery charges.* To the ceiling prices of GR–S type synthetic rubber as established pursuant to section 2 of this regulation, the Office of Rubber Reserve, Reconstruction Finance Corporation, may add the following maximum charges for delivery to any point within the United States:

$1.00 per hundredweight in carload lots.
$1.60 per hundredweight for 1. c. 1. shipments.

Effective date. This Supplementary Regulation shall become effective September 1, 1951.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

AUGUST 31, 1951.

[F. R. Doc. 51–10726; Filed, Aug. 31, 1951; 4:24 p. m.]

[General Overriding Regulation 18]

GOR 18—ADJUSTMENTS TO RECONCILE OPS REGULATIONS WITH THE ROBINSON-PATMAN ACT

Correction

In Federal Register Document 51–10620, published at page 8830 of the issue for Friday, August 31, 1951, the date at the end of the document should read "August 30, 1951."

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M–11, Direction 4]

M–11—COPPER AND COPPER-BASE ALLOYS

DIR. 4—PRODUCTION AND SHIPMENT TO FILL ORDERS CALLING FOR DELIVERY AFTER OCTOBER 1, 1951

This direction under NPA Order M–11 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950 as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable due to the need for immediate action and because the direction affects many different industries.

Sec.
1. What this direction does.
2. Prohibition of certain production.
3. Prohibition of shipment.
4. Diversion of production.
5. Distributors orders.
6. Relationship to Direction 3 to NPA Order M–11.

AUTHORITY: Sections 1 through 6 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this direction does.* This direction provides for the transition to a full CMP operation in the fourth quarter by providing that no producer of copper controlled materials shall place an order into production for shipment on or after October 1, 1951, until it has been converted into an authorized controlled material order, and by providing that no order which has not been converted may be filled by shipment on or after October 1, 1951.

SEC. 2. *Prohibition of certain production.* After the effective date of this direction no copper controlled material producer shall place into production any order accepted or scheduled for shipment on or after October 1, 1951, until it has been converted into an authorized controlled material order.

SEC. 3. *Prohibition of shipment.* On and after October 1, 1951, no copper controlled material producer shall ship any copper controlled material, except on an authorized controlled material order or upon a specific written authorization by the National Production Authority issued after the effective date of this direction.

SEC. 4. *Diversion of production.* A copper controlled material producer having copper controlled materials in actual process of production to fill orders other than authorized controlled material orders which cannot be shipped prior to October 1, 1951, shall divert such production to fill authorized controlled material orders for the same item wherever possible. In the event such diversion is not possible, the copper controlled material producer shall immediately submit a list of such orders to the National Production Authority setting forth the names of the purchasers, a description of the material, DO rating, if any, and probable shipping dates. Production of such orders shall not be stopped unless specifically directed by the National Production Authority.

SEC. 5. *Distributors orders.* For the purposes of this direction all distributors' stock replacement orders placed in accordance with NPA Reg. 2 or Direction 1 to NPA Order M–11, shall be considered authorized controlled material orders.

SEC. 6. *Relationship to Direction 3 to NPA Order M–11.* This direction in no way prohibits the conversion of an unrated order into an authorized controlled material order, as provided in Direction 3 to NPA Order M–11, nor does it in any way cancel the reservation of production provided for in Direction 3.

This direction shall take effect on August 31, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10727; Filed, Aug. 31, 1951; 4:32 p. m.]

[NPA Order M–82]

M–82—DISTRIBUTION OF BRASS MILL PRODUCTS TO DISTRIBUTORS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950 as amended. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations. However, consultation with representatives of all trades and industries affected in advance of the issuance of this order has been rendered impracticable by the fact that the order affects a large number of different trades and industries.

Sec.
1. What this order does.
2. Definitions.
3. How a distributor obtains brass mill products.
4. Monthly X6 quotas.
5. Limitations on acceptance of X6 orders by brass mills.
6. Limitations on acceptance of orders by distributors.
7. Inventory limitations.
8. Certification.
9. Applicability of other regulations and orders.
10. Records and reports.
11. Applications for adjustment or exception.
12. Communications.
13. Violations.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to provide for the restoration and maintenance of reasonable inventories by distributors of brass mill products. It describes how orders for brass mill products shall be accepted and filled by distributors and how such shipments shall be replaced by brass mills. It authorizes distributors to place authorized controlled material orders within certain limitations, sets forth limitations on the required acceptance of such orders by brass mills, and revokes the authority of distributors to place orders certified under Direction 1 to NPA Order M–11.

SEC. 2. *Definitions.* As used in this order:

(a) "Base period" means the period commencing January 1, 1947, and ending June 30, 1950.

(b) "Person" means any individual, corporation, partnership, association, or

any other organized group of persons, and includes any agency of the United States or any other government.

(c) "Brass mill products" for the purpose of this order means copper and copper-base alloys in the following forms:

Sheet, plate, strip (flat or coils).
Rod, bar, shapes, wire (except copper wire mill products).
Seamless tube and pipe.

(d) "Brass mill" means any person who produces brass mill products.

(e) "Item of brass mill products" means a particular brass mill product of one given dimension (except length), shape, temper, alloy, and finish.

(f) "Inventory" means brass mill products owned by a distributor or held by him on consignment within the United States, its territories and possessions, for resale as brass mill products. It does not include brass mill products held by him for fabrication, whether for his own account or for others, or direct mill shipments by a mill to a distributor's customer.

(g) "Distributor" means any person engaged in the business of stocking brass mill products received from a brass mill at a location regularly maintained by him for such purpose, for sale or resale in the form or shape as received, or after performing the operations described in this paragraph, and who in connection therewith maintains facilities and equipment necessary to conduct such business. Such operations are straightening, threading, chamfering, cutting to width and length, and edging. A distributor shall be deemed to be such only with respect to such brass mill products as are regularly maintained in his inventory. Occasional or accommodation sales, or purchases from brass mills, shall not constitute engaging in the business of distributing brass mill products. Any brass mill maintaining an inventory of brass mill products at a location other than the mill and regularly engaging in the business of making sales from such inventory as a distributor shall be deemed to be a distributor with respect to such inventory and business for the purposes of this order. Any distributor operating more than one warehouse may consider all warehouses operated by him as one warehouse for the purpose of this order.

SEC. 3. *How a distributor obtains brass mill products.* (a) Commencing on September 1, 1951, and subject to the quantity limitations contained in section 4 of this order, a distributor may apply the allotment symbol X6 to orders for brass mill products for the purpose of replacing his inventory of such products.

(b) A delivery order bearing the symbol X6, together with the certification provided for in section 8 of this order, shall constitute an authorized controlled material order for the purpose of all CMP regulations.

(c) Subject to the limitations of any other applicable NPA regulation or order, a distributor may purchase brass mill products without limitation where such purchase is not a purchase made from a domestic brass mill which will result in a violation of section 7 of this order.

(d) Notwithstanding the provisions of Direction 1 to NPA Order M–11, no distributor of brass mill products may place certified orders for such products after August 31, 1951.

SEC. 4. *Monthly X6 quotas.* (a) Commencing on September 1, 1951, any distributor who during the preceding month has delivered brass mill products from his inventory to fill orders bearing a DO rating, or authorized controlled material orders placed with him, may place an order with a brass mill for replacement in his inventory of an equal weight of brass mill products, to which order the allotment symbol X6 may be applied. In addition, a distributor whose inventory (by weight) on the last business day of any month is less than his average monthly inventory (by weight) during the base period may place an order bearing the allotment symbol X6 with a brass mill during the succeeding month for 5 percent of the difference between his average monthly inventory (by weight) during the base period and such inventory at the end of the month. The total weight of orders placed by any distributor with brass mills in each month and bearing the allotment symbol X6 shall, however, in no event exceed 150 percent of the average monthly weight of deliveries of brass mill products from brass mills to such distributor during the base period. In determining average monthly inventory during the base period or average monthly deliveries of brass mill products during the base period, a distributor may exclude any months during the base period in which he was not engaged in the business of distributing brass mill products.

SEC. 5. *Limitations on acceptance of X6 orders by brass mills.* (a) A brass mill need not accept a X6 order from any distributor if such distributor was not a purchaser of brass mill products from such brass mill during the base period.

(b) A brass mill need not accept an order rated X6 from a distributor for any item of brass mill products which such distributor did not purchase from the brass mill during the base period.

(c) Any distributor who is unable to place an order bearing the allotment symbol X6 due to the limitations of this section should apply to the National Production Authority, Washington 25, D. C., Ref: M–82, specifying the brass mills that refused to accept the order. The National Production Authority will assist him in locating sources of supply.

SEC. 6. *Limitations on acceptance of orders by distributors.* (a) A distributor may not accept (1) an order from any one person for more than 2,000 pounds of any item of brass mill products without the written approval of NPA, or (2) orders for any brass mill products in excess of the distributor's inventory of such products (including such products in transit to the distributor) on the date of the receipt of such order. Distributors are not required to accept any rated order for more than 500 pounds of any item of brass mill products or 50 percent of the distributor's inventory of such item, whichever is less, unless otherwise directed by NPA. For the purposes of the quantity limitations of this section, a distributor shall regard separate orders placed for delivery in the same month for the same item by any person as one order.

(b) A distributor may accept an order for brass mill products for direct shipment from the brass mill to the customer only to the extent that such order is acceptable to the brass mill. Such a transaction shall not be considered a sale or delivery by a distributor for the purposes of this order.

SEC. 7. *Inventory limitations.* No distributor may accept delivery of brass mill products from domestic brass mills if his inventory is, or by such receipt would become, in excess of his average monthly inventory during the base period (excluding therefrom the months during which he was not engaged in a business of distributing brass mill products) or in excess of a practicable minimum working inventory as defined in NPA Reg. 1, whichever is less.

SEC. 8. *Certification.* Any order for brass mill products placed by a distributor with a brass mill and bearing the symbol X6 pursuant to this order shall contain a certification in substantially the following form:

Certified under CMP Regulation No. 1 and NPA Order M–82

This certification shall constitute a representation to the supplier and to NPA that the purchaser is authorized to place an authorized controlled material order under the provisions of this order to obtain the material covered by the delivery order.

SEC. 9. *Applicability of other regulations and orders.* Nothing in this order shall be construed to relieve any person from the obligations of complying with such limitations as may be contained in any other applicable regulation or order of NPA or of any order of any other competent authority.

SEC. 10. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his files, for at least 2 years, records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by such persons who have or who may maintain such microfilm or other photographic records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such re-

ports to NPA as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 11. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 12. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: M–82.

SEC. 13. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on August 31, 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

[F. R. Doc. 51–10728; Filed, Aug. 31, 1951; 4:32 p. m.]

[NPA Order M–83]

M–83—MECHANICAL, HYDRAULIC, AIR, AND ELECTRICALLY-OPERATED JACKS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority of the Defense Production Act of 1950, as amended. In the formulation of this order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

Sec.
1. What this order does.
2. Definitions.
3. Standardization and simplification.
4. Records and reports.
5. Applications for adjustment or exception.
6. Communications.
7. Violations.

AUTHORITY: Sections 1 to 7 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, as amended; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to conserve by standardization and simplification the use of controlled materials, including carbon and alloy steel in such primary shapes and forms as cold rolled bars, plates, tubing, and castings, required for the national defense. It applies particularly to producers of mechanical, hydraulic, air, and electrically-operated jacks. The order prohibits the manufacture or assembly of all jacks not specifically listed in either one of the two annexed schedules, and it requires that certain of the jacks so listed conform to stated specifications and other standards. The limitations contained in the order do not apply to the manufacture of repair parts.

SEC. 2. *Definitions.* As used in this order:

(a) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air, or electrically-operated jacks.

(b) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B of this order, or any other device commonly known in the trade as a jack.

(c) "Capacity" means load-raising ability of the jacks, measured at the head or cap, through the entire working range from minimum to maximum height. This definition does not apply to wheel-type service or shop jacks or transmission jacks.

(d) "Defense agency" means the Department of Defense, the Atomic Energy Commission, or the United States Coast Guard of the United States Government.

(e) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States or any other government.

(f) "NPA" means National Production Authority.

SEC. 3. *Standardization and simplification.* (a) After September 30, 1951, no producer shall manufacture or assemble any jack not designated or described in Schedules A or B of this order.

(b) No producer shall manufacture or assemble any jack designated in Schedule A after September 30, 1951, unless it conforms to the specifications and other requirements set forth therein. The provisions of this paragraph do not apply to jacks listed in Schedule B.

(c) The provisions of this section shall not apply to jacks manufactured under contracts or orders for delivery to or for the account of a defense agency.

SEC. 4. *Records and reports.* (a) Each person participating in any transaction covered by this order shall retain in his possession, for at least 2 years, records of receipts, deliveries, inventories, and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system assures an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by those persons who have maintained or may maintain such microfilm or other photographic records in the regular and usual course of business.

(b) All records required by this order shall be made available at the usual place of business where maintained for inspection and audit by duly authorized representatives of NPA.

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 5. *Applications for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in duplicate, and shall set forth all pertinent facts and the nature of the relief sought, and shall state the justification therefor.

SEC. 6. *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the National Production Authority, Washington 25, D. C., Ref: M–83.

SEC. 7. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or who wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and, upon conviction, may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries

of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: All reporting and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on October 1, 1951.

Issued this 31st day of August 1951.

NATIONAL PRODUCTION AUTHORITY,
MANLY FLEISCHMANN,
Administrator.

SCHEDULE A

Item	Capacity (tons)	Number models permitted	Number sizes permitted per model	Closed height specifications (inches)
1. Ratchet lowering jacks (rigid base)	5	2	3	14 to 21.
	10	2	2	17 to 22.
	15	1	2	22 to 28.
	20	1	2	22 to 29.
2. Ratchet lowering jacks (hinged base)	15	1	1	22 to 23.
3. Ratchet lowering pole jacks	5	1	1	28 to 59.
	15	1	1	37 to 38.
4. Ratchet lowering cable real jacks	5	1	1	20 to 21.
	10	2	2	24½ to 40.
5. Cable real screw jacks	5	1	1	19¾ to 33.
6. Telescope screw jacks	10	1	1	10 to 14.
	25	1	1	20 to 22.
7. Track or trip jacks single acting	15	2	4	10½ to 30½.
8. Track or trip jacks, double acting	15	1	1	22 to 22¾.
9. Combination trip and automatic lowering jacks.	15	1	1	22 to 23.
10. Geared ratchet lowering jacks, single acting	25	3	1	26 to 28.
	35	1	1	27 to 28.
	50	1	1	27 to 28.
11. Journal jacks (standard speed)	15	1	2	7 to 10.
	25	1	1	10.
	35	1	1	10.
	50	1	1	10 to 17.
12. Jacks on traversing bases (complete units)	35	1	1	24.
13. Standard speed bevel gear screw jacks	10	1	1	14.
	15	2	2	14 to 22.
	20	1	1	28.
	25	2	2	15 to 28.
	35	1	2	22 to 27.
	50	2	2	12 to 27.
	75	1	1	24 to 27.
14. Self-lowering bevel gear screw jacks	25	2	1	26 to 28.
	35	2	1	22 to 30.
	50	2	2	20 to 36.
	75	1	1	26.
	100	1	1	26.
15. Rigid jacks (horses trestles)	2	2	1	
	5	2	1	
	7	2	1	
16. Shoring or house-raising jacks		2	8	2-inch screw x 10 inches. Thread length inches, 8 inches to 18 inches.
17. Wheel type service or shop jacks—hydraulic or mechanical.	1¼	1	1	
	4	1	1	
	10	1	1	
Wheel upright types—hydraulic or mechanical.	1½	1	1	
18. Transmission jacks	½ ton or over	2	1	
19. Power jacks (air and/or electrically operated)	20	1	1	28.
	35	1	1	26 to 30.
	50	1	2	28 and 36.
	100	1	2	26 and 44.
20. Hydraulic self-contained heavy duty jacks (hand operated).	3	2	2	7 to 11.
	5	2	2	7 to 13.
	8	2	2	8 to 11.
	12	2	2	8 to 13.
	20	2	2	7½ to 27.
	25 or 30	2	2	7½ to 30.
	50 or 60	2	1	11 to 30.
	100	2	1	11 to 30.
	125	2	1	20 to 30.
	150	2	1	20 to 30.
	Screw diameter			
21. Bell bottom jacks screws four way head and/or ratchet head.	1½ inches	1	4	8¼ to 16½.
	1¾ inches	1	3	11 to 16½.
	2 inches	2	5	9½ to 18½.
	2½ inches	2	5	12 to 23.

SCHEDULE B

The following types and models of mechanical and hydraulic jacks are not subject to standardization and simplification and may be manufactured or assembled without regard to Schedule A of this order.

Adapters and attachments, jacks.
Adjustable mine roof jacks.
Aircraft jacks, all types.
Anchor or hold down jacks.
Bolt pulling and/or forcing jacks.
Bumper jacks, hydraulic or mechanical.
Cable and wire extension jacks.
Farm utility jacks.
Independent pumps and rams.
Jacks: Designed as an integral part of special military equipment, vehicle or vessel, or for specific uses in connection with a part of a product and included in the sale price of that product as original equipment.
Leveling jacks.
Mine post puller jacks.
Mine timber jacks.
Oil well circle jacks.
One end high lift jacks—extended height not less than 35 inches.
Pipe bending jacks.
Pipe pulling and pushing jacks.
Pit jacks (five-ton or over), hydraulic or mechanical.
Planer or machinist jacks.
Puller jacks, hydraulic jenny.
Push-pull jacks.
Rail bending jacks.
Remote control hydraulic units.
Steamboat rachets.
Toe lift jacks, hydraulic.
Traversing bases only.
Trench and timber braces.
Scissor jacks.
Screw casing jacks.

[F. R. Doc. 51-10729; Filed, Aug. 31, 1951; 4:32 p. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 13—ADMISSION, GUIDE, ELEVATOR, AND AUTOMOBILE FEES

ADMISSION FEES; MISCELLANEOUS

Section 13.13, entitled *Admission fees; miscellaneous*, is amended by the addition of a new paragraph (f), reading as follows:

(f) A single fee of 21 cents shall be charged each person entering the Museum and Earth Lodge at Ocmulgee National Monument.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 29th day of August 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-10592; Filed, Sept. 4, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

CIVIL AERONAUTICS BOARD

[14 CFR Part 4a]

EXTENSION OF SPECIAL AUTHORIZATION FOR HIGHER MAXIMUM WEIGHTS FOR CERTAIN AIRPLANES OPERATED BY THE FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a Special Civil Air Regulation extending the present authority of the Administrator to establish increased maximum weights for certain airplanes under 12,500 pounds operated by the Fish and Wildlife Service of the U. S. Department of the Interior in the Territory of Alaska until October 25, 1953, as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by September 21, 1951, will be considered by the Board before taking further action on the proposed rule. Copies of such communications will be available after September 25 for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

On March 31, 1950, the Civil Aeronautics Board adopted Special Civil Air Regulation SR–344 which authorized the Administrator to establish increased maximum take-off weights for certain airplanes under 12,500 pounds operated by the Fish and Wildlife Service, U. S. Department of the Interior, in the Territory of Alaska. It is felt that there is a continuing need for the provisions of SR–344, and it is believed that the Department of the Interior will continue to operate these airplanes. It is therefore considered reasonable to extend this authority until October 25, 1953.

It is, therefore, proposed to issue a Special Civil Air Regulation, effective October 25, 1951, to read as follows:

1. The Administrator is hereby authorized to establish a maximum authorized weight for airplanes type certificated under the provisions of Aeronautics Bulletin No. 7–A of the Aeronautics Branch of the U. S. Department of Commerce, dated January 1, 1931, as amended, or under the normal category of Part 4a of the Civil Air Regulations, which are operated entirely within the Territory of Alaska by the Fish and Wildlife Service, United States Department of the Interior, in the conduct of its game and fish law enforcement activities.

2. The maximum authorized weight herein referred to shall not exceed any of the following:

(a) 12,500 pounds,

(b) 115 percent of the maximum weight listed in the CAA Aircraft Specification,

(c) The weight at which the airplane meets the positive maneuvering load factor requirement for the normal category specified in § 3.186 of the Civil Air Regulations,

(d) The weight at which the airplane meets the climb performance requirements under which it was type certificated, or

(e) The sum of the following:

(1) The weight empty of the airplane as equipped,

(2) The actual weight of the maximum fuel and oil capacity of the airplane,

(3) The weight of the number of persons for whom seats are provided, computed at 170 pounds per person, and

(4) The weight of the maximum allowable baggage.

3. In determining the maximum authorized weight the Administrator shall also consider the structural soundness of the airplane and the terrain to be traversed in the operation.

4. The maximum authorized weight so determined shall be added to the airplane's operation limitations of the airworthiness certificate and identified as the maximum weight authorized for operations within the Territory of Alaska.

This regulation shall supersede Special Civil Air Regulation Serial Number SR–344 and shall terminate October 25, 1953, unless sooner superseded or rescinded.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposed Special Civil Air Regulation may be changed in view of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984, 49 U. S. C. 425. Interpret or apply secs. 601, 603, 52 Stat. 1007, 1009, 49 U. S. C. 551, 553; 62 Stat. 1216)

Dated: August 29, 1951, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 51–10647; Filed, Sept. 4, 1951; 8:51 a. m.]

[14 CFR Parts 42, 45]

EXTENSION OF SPECIAL AUTHORIZATION FOR HIGHER MAXIMUM WEIGHTS FOR CERTAIN AIRPLANES OPERATED BY ALASKAN AIR CARRIERS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a Special Civil Air Regulation extending the present authority of the Administrator to establish increased maximum weights for certain airplanes under 12,500 pounds operated by Alaskan air carriers in the Territory of Alaska until October 25, 1953, as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received by September 21, 1951, will be considered by the Board before taking further action on the proposed rule. Copies of such communications will be available after September 25 for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

On September 20, 1949, the Civil Aeronautics Board adopted Special Civil Air Regulation SR–337, effective October 25, 1949, which authorized the Administrator to establish increased maximum take-off weights for certain airplanes under 12,500 pounds operated by Alaskan air carriers in the Territory of Alaska. It seems reasonable to extend this authority until October 25, 1953, since it is apparent that the same type of airplanes will be operated in this Territory for some years to come. It is, therefore, proposed to issue a Special Civil Air Regulation, effective October 25, 1951, to read as follows:

1. The Administrator is hereby authorized to establish a maximum authorized weight for airplanes type certificated under the provisions of Aeronautics Bulletin No. 7–A of the Aeronautics Branch of the U. S. Department of Commerce, dated January 1, 1931, as amended, or under the normal category of Part 4a, which are operated entirely within the Territory of Alaska by Alaskan air carriers as designated by Part 292, as amended, of the Board's Economic Regulations.

2. The maximum authorized weight herein referred to shall not exceed any of the following:

(a) 12,500 pounds,

(b) 115 percent of the maximum weight listed in the CAA Aircraft Specification,

(c) The weight at which the airplane meets the positive maneuvering load factor requirement for the normal category specified in § 3.186 of the Civil Air Regulations,

(d) The weight at which the airplane meets the climb performance requirements under which it was type certificated, or

(e) The sum of the following:

(1) The weight empty of the airplane as equipped,

(2) The actual weight of the maximum fuel and oil capacity of the airplane,

(3) The weight of the number of persons for whom seats are provided, computed at 170 pounds per person, and

(4) The weight of the maximum allowable baggage.

3. In determining the maximum authorized weight the Administrator shall also consider the structural soundness of the airplane and the terrain to be traversed in the operation.

4. The maximum authorized weight so determined shall be added to the aircraft's operation limitations and identified as the maximum weight authorized for air carrier operations within the Territory of Alaska.

This regulation shall supersede Special Civil Air Regulation Serial Number SR-337 and shall terminate October 25, 1953, unless sooner superseded or rescinded.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposed Special Civil Air Regulation may be changed in view of comments received in response to this notice of proposed rule making.

(Secs. 205, 601, 603, 604, 52 Stat. 984, 1007, 1009, 1010, 62 Stat. 1216; 49 U. S. C. 425, 551, 553, 554)

Dated: August 29, 1951, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 51-10648; Filed, Sept. 4, 1951; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 12]

[Docket No. 10040]

AMATEUR RADIO SERVICE

CALL SIGNS

In the matter of amendment of Part 12, Rules Governing Amateur Radio Service.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. Present rules relating to call signs of amateur radio stations provide that the call signs of such stations will be assigned systematically with five exceptions which are stated in the rule. In the administration of this rule the Commission has found that considerable research and other clerical time is required to process requests, made under the exceptions, for assignments of specific call signs. In view of the mounting backlog of pending applications for other types of amateur authorizations, it appears that public interest, convenience, and necessity would be served by diverting clerical time now used in processing requests for specific call signs to the processing of requests for new, modified, or renewed licenses. Accordingly, it is proposed to amend § 12.81 of Part 12, Rules Governing Amateur Radio Service, by deleting so much of that rule as provides any exception to the systematic assignment of call signs to amateur stations. The amended rule would read, in part, as follows:

§ 12.81 *Call signs.* The call signs of amateur stations will be assigned systematically, without exception, and they will consist of a sequence of one or two letters, a numeral designating the call sign area, and two or three letters. In the continental United States no new call sign having only two letters following the numeral will be issued. The call sign areas are as follows: (No change in listing of call sign areas.)

3. The proposed amendment is issued under the authority of sections 4 (i) and 303 (o) and (r) of the Communications Act of 1934, as amended.

4. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before October 26, 1951, a written statement or brief setting forth his comments. At the same time any person who favors the amendment as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within fifteen days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs, and statements before taking final action. If any comments are received which appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given such interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 24, 1951.

Released: August 27, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10636; Filed, Sept. 4, 1951; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA SMALL TRACT CLASSIFICATION ORDER NO. 18

Correction

AUGUST 28, 1951.

Alaska Small Tract Classification Order No. 18 of November 16, 1949 (F. R. Doc. 49-943) erroneously described the lands therein as being "T. 12 N., R. 2 W., S. M."

The Range Number should be 4 W., and the order is hereby amended accordingly.

ROGER R. ROBINSON,
Acting Regional Administrator.

[F. R. Doc. 51-10643; Filed, Sept. 4, 1951; 8:50 a. m.]

Petroleum Administration for Defense

OHIO

NOTICE OF CERTIFICATION REGARDING RESTRICTIONS OF NATURAL GAS

Take notice that the Public Utilities Commission of the State of Ohio has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to Section 704 Defense Production Act of 1950, as amended, the restrictions imposed by Section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the State of Ohio.

BRUCE K. BROWN,
Deputy Administrator,
Petroleum Administration for Defense.

[F. R. Doc. 51-10740; Filed, Sept. 4, 1951; 9:00 a. m.]

DEPARTMENT OF AGRICULTURE

Bureau of Entomology and Plant Quarantine

CHIEF OF BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

DELEGATION OF AUTHORITY WITH RESPECT TO GOLDEN NEMATODE SUPPRESSIVE PROGRAM, 1951 SEASON

Agency designated to act for Federal Government. The Bureau of Entomology and Plant Quarantine of the United States Department of Agriculture is hereby authorized to carry out, on behalf of the Federal Government, the cooperative program to suppress, control, and prevent the spread of the golden nematode.

Agent of Secretary of Agriculture to determine eligibility for payment. The Federal official in charge of the Golden Nematode Project, working under the direction of the Chief of the Bureau of Entomology and Plant Quarantine of the

United States Department of Agriculture, is hereby designated as the authorized agent of the Secretary of Agriculture in determining eligibility for compensation under the regulations in this subpart and approving the amount of compensation to be provided by the United States Department of Agriculture to any owner-operator who refrained from planting potatoes during 1951.

Enabling legislation by the State of New York authorizing State cooperation, required by section 4 of the Golden Nematode Act as a requisite for Federal participation, is contained in Chapter 338 approved March 29, 1951. Regulations pertaining to the cooperative program to suppress the Golden Nematode for the 1950 season became effective December 18, 1950, 7 CFR, Supp., § 303.1–4. The program to suppress the golden nematode was cooperatively reviewed November 20, 1950 and it was jointly agreed that for the season of 1951 the procedures followed in the 1950 season, with the exception of State compensation to nonowners of land involved, would be continued but that the rate of compensation paid to each owner-operator of lands infested by or exposed to the golden nematode would be reduced to the rate of $80 per acre. Information in reference to this proposed change was presented to the land owners in advance of planting operations. Land owners recognized the value of the program for suppressing, controlling, and preventing the spread of the golden nematode.

Compliance with the provisions of the regulations is not obligatory, but confers a benefit upon eligible growers. Accordingly, pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found, upon good cause, that further notice and public procedure on these regulations are unnecessary, impracticable and contrary to the public interest, and good cause is found for their issuance effective less than 30 days after publication.

NOTE: For regulations regarding Golden Nematode Suppressive Program, 1951 season, see Title 7, Chapter III, Part 303, *supra*.

Done at Washington, D. C., this 29th day of August 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Concurred with: July 30, 1951.

C. CHESTER DU MOND,
Commissioner of Agriculture and Markets, State of New York.

[F. R. Doc. 51–10609; Filed, Sept. 4, 1951; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Alexander Manufacturing Co., 702 West Seventh Street, Lancaster, Tex., effective 8–23–51 to 8–22–52; three learners for normal labor turn-over (children's wear).

Almar Manufacturing Co., Inc., Washington, Ga., effective 8–24–51 to 2–23–52; 100 learners may be employed for expansion purposes only (plastic rainware).

J. M. Bernstein & Co., Inc., Chincoteague, Va., effective 8–28–51 to 2–27–52; 30 learners may be employed for expansion purposes (sportshirts).

Bryant Manufacturing Co., Inc., Villa Rica, Ga., effective 9–25–51 to 9–24–52; for normal labor turn-over, 10 percent of the productive factory workers (sportshirts, walking shorts).

The Butler Shirt Co., 165 Brugh Avenue, Butler, Pa., effective 8–21–51 to 2–20–52; an additional 20 learners may be employed for expansion purposes only (men's shirts).

Cumberland Rainwear Co., Broad Street, Jellico, Tenn., effective 8–23–51 to 8–22–52; 10 percent of the productive factory workers or five learners, whichever is greater (sportswear, leather garments, and rainwear).

Elba Textile Co., Inc., Elba, Ala., effective 8–23–51 to 8–22–52; for normal labor turnover, 10 percent of the productive factory workers or 10 learners, whichever is greater (men's and children's clothing).

Essex Manufacturing Co., Inc., 21 West Center Street, Winooski, Vt., effective 8–24–51 to 8–23–52; five learners for normal labor turn-over (children's blouses).

Halamar Garment Co., Inc., Dean Subdivision, Alexander City, Ala., effective 8–25–51 to 2–24–52; 36 learners may be employed for expansion purposes (dresses).

LaFollette Shirt Co., Inc., LaFollette, Tenn., effective 8–23–51 to 2–22–52; an additional 30 learners may be employed for expansion purposes only (men's shirts and sportshirts).

Lorraine Manufacturing Co., 1716 Washington Avenue, Northampton, Pa., effective 8–23–51 to 8–22–52; 10 percent of the productive factory workers or five learners, whichever is greater, for normal labor turnover (blouses).

Loungeray, Inc., Hollidaysburg, Pa., effective 8–27–51 to 2–26–52; an additional 100 learners may be employed for expansion purposes (negligees, ladies' robes, quilt robes).

McCormick Manufacturing Co., 873 West Ogden Street, Girardville, Pa., effective 8–23–51 to 2–22–52; 12 learners may be employed for expansion purposes (blouses).

Marja Brassiere Co., Inc., 210–12 East Commerce Street, Jacksonville, Tex., effective 8–29–51 to 8–28–52; 10 percent of the productive factory workers for normal labor turnover (brassieres).

Orchid Blouse Co., Industrial Building, 1100 Penn Avenue, Scranton, Pa., effective 8–29–51 to 8–28–52; 100 learners may be employed for expansion purposes (blouses).

Peekskill Sportswear, 116 North Broad Street, Peekskill, N. Y., effective 8–25–51 to 8–24–52; for normal labor turnover, 10 percent of the productive factory workers or 10 learners, whichever is greater (outerwear).

Pittston Frocks, 135 South Main Street, Pittston, Pa., effective 8–23–51 to 8–22–52; 10 percent of the productive factory workers or 5 learners, whichever is greater, for normal labor turnover (women's unlined rayon suits).

Shane Manufacturing Co., Inc., 2015 West Maryland Street, Evansville 7, Ind., effective 8–28–51 to 2–27–52; an additional 50 learners may be employed for expansion purposes only (cotton work clothing).

Southland Manufacturing Co., 741 Florida Avenue, Jacksonville, Fla., effective 8–20–51 to 8–19–52; 10 learners for normal labor turnover (pants, overalls, coveralls and workshirts).

Toll Gate Garment Co., Hamilton, Ala., effective 8–24–51 to 8–23–52; 10 percent of the productive factory workers or 10 learners, whichever is greater, for normal labor turnover (single pants, shirts).

Wright Manufacturing Co., 119 Railroad Street, Toccoa, Ga., effective 8–20–51 to 8–19–52; 10 percent of the productive factory workers for normal labor turnover (cotton work pants).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Quitman Manufacturing Co., Quitman, Miss., effective 8–23–51 to 4–22–52; 25 learners (expansion certificate).

Quitman Manufacturing Co., Quitman, Miss., effective 9–1–51 to 8–31–52; 5 percent of the total number of productive factory workers.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Wells Lamont Corp., Edina, Mo., effective 8–28–51 to 8–27–52; 10 percent of the total number of productive factory workers.

Wells Lamont Corp., Elsberry, Mo., effective 8–28–51 to 8–27–52; 10 percent of the total number of productive factory workers.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

Glick Knitting Mill, 123 Ash Street, Girardville, Pa., effective 8–20–51 to 8–19–52; five learners.

H. T. Johnson Co., 81 Beach Street, Boston, Mass., effective 8–28–51 to 8–27–52; four learners.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Samuel Jackson, Jr., 900 Elm Avenue, Laurel Springs, N. J., effective 8–23–51 to 2–22–52; four learners; Fuse maker, but not including cutting bonnets, cutting tape, cutting cover paper, and helpers; 160 hours at 60 cents per hour (railway signal fuses).

The following special learner certificates were issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, and length of the learning period and the learner wage rates are indicated, respectively.

U. S. Textile Importing Co., Santurce, P. R., effective 8–16–51 to 2–15–52; 19 learners;

machine embroidering; 240 hours at 22½ cents per hour (embroidery).

U. S. Textile Importing Co., Santa Isabel, P. R., effective 8-16-51 to 11-20-51; 50 learners; machine embroidering; 240 hours at 22½ cents per hour (embroidery).

West Indies Airways, San Juan, P. R., effective 8-10-51 to 8-9-52; four learners; airplane mechanics; first 520 hours at 24 cents per hour, second 520 hours at 26 cents per hour, third 520 hours at 29 cents per hour, fourth 520 hours at 31 cents per hour, fifth 520 hours at 34 cents per hour, sixth 520 hours at 36 cents per hour (repair of airplane motors, business service).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 28th day of August 1951.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 51-10593; Filed, Sept. 4, 1951; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 9902, 9903]

GREATER NEWCASTLE BROADCASTING CORP. AND SANFORD A. SCHAFITZ

ORDER SCHEDULING FURTHER HEARING

In re applications of Greater Newcastle Broadcasting Corporation, New Castle, Pennsylvania, Docket No. 9902, File No. BP-7742; Sanford A. Schafitz, Farrell, Pennsylvania, Docket No. 9903, File No. BP-7942; for construction permits.

The Commission having under consideration petitions filed on May 31, 1951, and June 1, 1951, on behalf of James D. Sinyard, licensee of Station WMOD, Moundsville, West Virginia, respondent, and Greater Newcastle Broadcasting Corporation, applicant, in the above-entitled proceeding, requesting the Commission to require Sanford A. Schafitz, another applicant in the same proceeding, to amend his application in order to specify a definite transmitter site, antenna and ground system; and that the further hearing in the above-entitled proceeding be continued for a period of at least thirty days after action by the Commission on the said petitions; an answer to the said petitions filed on June 8, 1951, on behalf of Sanford A. Schafitz, requesting the Commission to dismiss the said petitions as moot; and a petition filed on August 15, 1951, on behalf of Sanford A. Schafitz, requesting leave to amend his application by deleting the data now contained in section I, page 2, section V-A, pages 1 and 2, and section V-G thereof, and by substituting in lieu thereof new engineering data specifying a definite transmitter site, antenna and ground system; and

It appearing, that a hearing was held in the above-entitled proceeding on April 25, 26 and 27, 1951, which was continued sine die on April 27, 1951; and

It further appearing, that no opposition has been filed to the said petition of Sanford A. Schafitz for leave to amend his above-entitled application by any of the parties to the instant proceeding:

It is ordered, This 23d day of August 1951, that the said petition of Sanford A. Schafitz for leave to amend his above-entitled application be, and it is hereby, granted; that the proposed amendments are hereby accepted; and that the petitions filed on behalf of James D. Sinyard and Greater Newcastle Broadcasting Corporation, requesting the Commission to require Sanford A. Schafitz to amend his application to specify a transmitter site, antenna and ground system be, and they are hereby, dismissed as moot.

It is further ordered, That the further hearing in the above-entitled proceeding shall be held at 10:00 a. m., Tuesday, October 23, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10638; Filed, Sept. 4, 1951; 8:49 a. m.]

[Docket Nos. 9982, 9983]

COVINGTON BROADCASTING CO., INC., AND OPP BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re applications of Covington Broadcasting Company, Inc., Opp, Alabama, Docket No. 9982, File No. BP-8013; The Opp Broadcasting Company, Inc., Opp, Alabama, Docket No. 9983, File No. BP-8072; for construction permits.

The Commission having under consideration a petition filed August 23, 1951, by The Opp Broadcasting Company, Inc., Opp, Alabama, requesting a continuance for a period of approximately sixty days of the hearing presently scheduled for August 27, 1951, at Washington, D. C., in the proceeding upon the above-entitled applications; and

It appearing that Covington Broadcasting Company, Inc., the competing applicant in this consolidated proceeding, has filed a petition to dismiss its application which, although deficient in some respects, clearly indicates an intention not to prosecute the application further; and

It further appearing that in the event the application of Covington Broadcasting Company is dismissed, it will be necessary to amend the issues in this proceeding and the necessity of a hearing may be eliminated; and

It further appearing that public interest requires consideration of the petition on this date and counsel for the Commission has waived the requirements of § 1.745 of the Rules and agreed to an immediate consideration and grant of the instant petition;

It is ordered, This 24th day of August 1951, that the petition of The Opp Broadcasting Company, Inc., be, and the same is hereby, granted, and the hearing in the above-entitled proceeding is continued to 10 a. m., October 26, 1951, at Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10640; Filed, Sept. 4, 1951; 8:49 a. m.]

[Docket Nos. 10014, 10015]

UNION BROADCASTING CO. (WARM)

ORDER CONTINUING HEARING

In re applications of Union Broadcasting Company (WARM), Scranton, Pennsylvania, dockets Nos. 10014, 10015, file Nos. BMP-5525-5565; for modification of construction permit.

The Commission having under consideration the petition of the applicant herein, filed August 17, 1951, that the hearing on the above applications, presently scheduled for August 28, 1951, be continued for a period of thirty days;

It appearing, that there is pending before the Commission a petition for reconsideration and grant of the authority requested by petitioners in their applications;

It appearing further, that there is no opposition to the petition here under consideration and that the continuance requested would be appropriate under the circumstances above set forth;

It is ordered, This 24th day of August 1951, that the petition under consideration, be, and it is hereby granted; and that the hearing upon the above-entitled applications is continued to September 27, 1951, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10639; Filed, Sept. 4, 1951; 8:49 a. m.]

[Mexican Change List 131]

MEXICAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

JULY 17, 1951.

Notification under the provisions of Part III, section 2, of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Mexican Broadcast Stations modifying appendix containing assignments of Mexican Broadcast Stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

MEXICO

Call letters	Location	Power	Time designation	Class	Probable date to commence operation
XERG	Nuevo Laredo, Tamaulipas	1090 kilocycles, 2.5 kw	D	II	Oct. 1, 1951
XEXO	Nuevo Laredo, Tamaulipas	1140 kilocycles (change to 1550 kilocycles), 50 kw-DA-N.	U	I-B	Sept. 1, 1951
XEFZ	Monterrey, Nuevo Leon				
XENL	Monterrey, Nuevo Leon	1190 kilocycles, 250 w-N/1 kw-D	U	II	Oct. 1, 1951
XEFY	Ensenada, Baja California	1450 kilocycles, 100 w	U	IV	Jan. 1, 1952
XEXO	Nuevo Laredo, Tamaulipas	1550 kilocycles, 50 kw-DA-N	U	I-B	Aug. 1, 1951

NOTES 1. The assignment of the 1550 kc channel to station XEXO is made considering the imperative necessities of Mexican broadcasting, and that Mexico has priority rights in the use of that channel as may be verified in the List of Frequencies published by the International Telecommunications Union in 1947 (15th Edition). Notwithstanding the fact that, as United States station KENT, Shreveport, Louisiana, is a Class II station, and that its international registration was made subsequent to that of the Mexican station, for which reasons it is subject to the interferences that may be caused to it by station XEXO, as a solution to the problem of interference which arises in this case, the Mexican Government suggests to the Government of the United States of America that the 1500 kilocycle channel be assigned to broadcasting station KENT, Shreveport, in substitution for the 1550 kc channel, using the same directional antenna contour, and that station KTAN, Sherman, Texas, be assigned to the latter channel for daytime operation only, in substitution for the 1500 kc on which it is now operating.

2. The services of Canadian broadcasting station CBE will be duly protected with the use by station XEXO of the directional antenna, the pattern and technical information of which are enclosed with this notification.

NOTE BY FCC: The Government of the United States has strongly objected to this assignment.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-10641; Filed, Sept. 4, 1951; 8:50 a. m.]

[Docket Nos. 8736, 8975, 9175, 8976]

TELEVISION BROADCAST SERVICE

SECOND ADDENDUM TO NOTICE OF ORDER OF TESTIMONY

In the matters of Amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and engineering standards concerning the television broadcast service, Docket No. 9175; utilization of frequencies in the Band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. This Addendum supplements and corrects the notice of order of testimony issued by the Commission on July 18, 1951 (Mimeo 66241).

2. The following additional corrections should be made:

(a) Add to Group A, page 2 the following counterproposal relating to Durham, New Hampshire:

5 CBS, Inc., Boston, Mass.

(b) Add to Group B, page 3 the following counterproposal relating to St. John, Canada:

5 CBS, Inc., Boston, Mass.

(c) Add to Group B, page 3 under Supports FCC, Boston, Massachusetts:

Trustees of Boston University.

(d) The comment of Connecticut State Department of Education listed in Group B, page 5 as a comment supporting the Commission, should be changed to a counterproposal.

(e) Add to Group B, page 5 the following counterproposal relating to New Haven, Connecticut:

American Broadcasting Company, Inc.

(f) Add to Group J, page 18 under Supports, Cleveland, Ohio:

Ursuline College for Women.

(g) Add to Group K, page 20 under Counterproposals:

Athens, Ohio, Ohio University.

(h) Add to Group O, page 26 the following opposition to the comment of Public Schools, Bay City, Mich.:

K 252 Adrian Broadcasting Company.

(i) Add to Group O, page 28 under Supports, Detroit, Michigan:

University of Detroit.

(j) Add to Group P, page 29 under Supports:

Grand Rapids, Michigan, Grand Rapids Public Schools.

(k) Add to Group Q, page 31 the following counterproposal relating to Urbana, Illinois:

5 CBS, Inc.

(l) The comment of Bradley University listed in Group R, page 32 has been withdrawn and should be deleted.

(m) Add to Group S, page 34 under Supports, Milwaukee, Wisconsin:

Alverno College.

(n) Add to Group X, page 43 under Supports, Great Falls, Montana:

Great Falls Public Schools.

(o) Add to Group AA, page 48 the comment of the University of Washington supporting the Commission's proposal for Seattle, Washington.

(p) The comment of Queen City Broadcasting Company, Seattle, Washington, listed in Group AA, page 48 was returned by the Commission on May 18, 1951 as improper and should be deleted.

(q) Opposition No. K 295, listed in Mimeo 66048 as "KCRA, Inc.", should be changed to "KCRA, Inc. and Harmco, Inc." All references to "K 295 KCRA, Inc." in Group BB, pages 50 and 51 and Group CC, pages 53 through 61 (Mimeo 66188) should be changed to "K 295 KCRA, Inc., and Harmco, Inc."

(r) Add to Group DD, page 62 the following counter-proposal relating to San Diego, California:

American Broadcasting Company, Inc.

(s) The comment of KFBI, Inc. listed in Group II, pages 71 and 72, relating to Wichita, Kansas; Dodge City, Kansas; Wichita Falls, Texas; Tulsa, Oklahoma; and Lawton, Oklahoma, has been withdrawn and should be deleted.

(t) The comment of Taylor Radio and Television Corp. listed in Group II, pages 71 and 72, relating to Wichita, Kansas; Dodge City, Kansas; Wichita Falls, Texas; Tulsa, Oklahoma; and Lawton, Oklahoma, has been withdrawn and should be deleted.

(u) The comment of Hoyt B. Wooten listed in Group JJ, pages 74 and 75, relating to Jackson, Tennessee; Memphis, Tennessee; Alexandria, Louisiana; Monroe, Louisiana; Shreveport, Louisiana; Pine Bluff, Arkansas; El Dorado, Arkansas; Fort Smith, Arkansas; Blytheville, Arkansas; Little Rock, Arkansas; Jonesboro, Arkansas; and Hot Springs, Arkansas; and in Group HH, page 69, relating to State College, Mississippi, should be changed to "Hoyt B. Wooten and WMPS, Inc."

(v) Add to Group JJ, page 75 under Supports, Memphis, Tennessee:

Le Moyne College.

(w) Add to Group KK, page 78 under Supports:

University, Miss., University of Mississippi.

(x) The comment of Greenville News-Piedmont Company, Greenville, South Carolina, listed in Group MM, page 83 as a counter-proposal should be changed to a comment in support of the Commission.

(y) The comment in opposition of South Texas Television Company (K 275) directed against the counterproposal of Allen B. DuMont Laboratories, Inc., and listed in Mimeos 66026 and 66048, has been withdrawn and should be deleted.

(z) The comment of Warren M. Mallory, Laramie, Wyoming, is incorrectly listed in Mimeo 66048 as KE 338 in Opposition to the University of Wyoming. This comment is a counter-proposal and should be deleted from the list of oppositions.

3. Any additional errors or omissions in the Order of Testimony as corrected above should be reported in writing to the Chief, Rules and Standards Division of the Broadcast Bureau of the Commission at the earliest practicable date.

Adopted: August 24, 1951.

Released: August 27, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10642; Filed, Sept. 4, 1951; 8:50 a. m.]

[Docket No. 9797]

COASTAL AND MARINE RELAY SERVICES AND SHIP SERVICE

NOTICE OF ORAL ARGUMENT

In the matter of revision of Parts 7 and 8 of the Commission's rules governing Coastal and Marine Relay Services,

and Ship Service, respectively; Docket No. 9797.

The oral argument in the above-entitled matter heretofore designated by Commission order of June 13, 1951, will be held at the Commission's offices at Washington, D. C., on the 1st day of October 1951. The parties set forth below have filed timely notice that they will participate in the proceeding on the specific proposed rules as hereinafter indicated. The order of presentation of oral argument will require completion of all argument on each proposed rule by each of the parties desiring to argue thereon in order to facilitate the proceedings. The time permitted to each party on each of the proposed rules represents the prorated portion of the total time requested where the party indicated a desire to argue on more than one proposed rule. The order of presentation and time allotted each of the parties will be as follows:

	Time allotted for argument (minutes)
Sections 7.104 (b), 8.106 (a), 8.223, 7.189 (c), and 8.366 (b):	
American Telephone & Telegraph Co	35
American Waterways Operators	35
Boston Tow Boat Co	5
Central Radio Telegraph Co	25
Lake Carriers' Association	25
Lorain County Radio Corp	25
Mackay Radio & Telegraph Co., Inc	5
National Federation of American Shipping	20
Ocean County Board of Chosen Freeholders	15
Radiomarine Corp. of America	25
Total	215
Section 8.106 (c):	
American Telephone & Telegraph Co	10
American Waterways Operators	5
Atlantic Coast and Gulf of Mexico Towboat Association	15
Bethlehem Steel Co	15
Boston Tow Boat Co	5
Brunswick Navigation Co	15
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
Maryland Drydock Co	15
McAllister Brothers, Inc	15
Radiomarine Corp. of America	5
Total	115
Sections 7.352, 7.354, 7.355, and 7.356:	
American Telephone & Telegraph Co	10
American Waterways Operators	5
Bethlehem Steel Co	15
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
Mackay Radio & Telegraph Co., Inc	5
Maryland Drydock Co	15
Radiomarine Corp. of America	5
Total	70
Section 8.364:	
American Telephone & Telegraph Co	10
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	40
Section 8.368:	
American Telephone & Telegraph Co	10
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	40
Sections 7.312 (d) and 8.366 (h):	
American Telephone & Telegraph Co	25
American Waterways Operators	15
Central Radio Telegraph Co	10
Lake Carriers' Association	10
Lorain County Radio Corp	10
Mackay Radio & Telegraph Co., Inc	10
National Federation of American Shipping	5
Radiomarine Corp. of America	10
Total	95
Section 8.42:	
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
Mackay Radio & Telegraph Co., Inc	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	35
Section 8.73:	
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Mackay Radio & Telegraph Co., Inc	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	30
Section 8.135:	
American Telephone & Telegraph Co	10
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
Mackay Radio & Telegraph Co., Inc	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	45
Section 7.107 (c):	
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Lorain County Radio Corp	5
Mackay Radio & Telegraph Co., Inc	5
Radiomarine Corp. of America	5
Total	30
Section 8.517:	
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
Mackay Radio & Telegraph Co., Inc	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	30
Section 8.502 (a) (5):	
American Waterways Operators	5
Central Radio Telegraph Co	5
Lake Carriers' Association	5
National Federation of American Shipping	5
Radiomarine Corp. of America	5
Total	25

Adopted: August 24, 1951.

Released: August 27, 1951.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WM P. MASSING,
Acting Secretary.

[F. R. Doc. 51-10637; Filed, Sept. 4, 1951; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-808, G-962]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

AUGUST 28, 1951.

Notice is hereby given that, on August 24, 1951, the Federal Power Commission issued its order entered August 22, 1951, further amending orders of July 30, 1947 (12 F. R. 5403) in Docket No. G-808 and order of May 3, 1949 (14 F. R. 2385) in Docket No. G-962, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10602; Filed, Sept. 4, 1951; 8:47 a. m.]

[Docket Nos. G-1065, G-1517]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 28, 1951.

Notice is hereby given that, on August 24, 1951, the Federal Power Commission issued its order entered August 22, 1951, further amending order of May 3, 1949 (14 F. R. 2385), issuing certificate of public convenience and necessity in Docket No. G-1065 and issuing certificate of public convenience and necessity in Docket No. G-1517, in the above-entitled matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-10601; Filed, Sept. 4, 1951; 8:46 a. m.]

[Docket Nos. G-1639, G-1648, G-1660, G-1666]

OHIO FUEL GAS CO. ET AL.

NOTICE OF FINDINGS AND ORDER

AUGUST 28, 1951.

In the matters of The Ohio Fuel Gas Company, Docket No. G-1639; Central Kentucky Natural Gas Company, Docket No. G-1648; Atlantic Seaboard Corporation, Docket No. G-1660; Central Kentucky Natural Gas Company, Docket No. G-1666.

Notice is hereby given that, on August 27, 1951, the Federal Power Commission issued its findings and order entered August 21, 1951, issuing certificates of public convenience and necessity in Docket Nos. G-1639, G-1660 and G-1666; approving abandonment of certain facilities in Docket No. G-1639; and denying

certificate of public convenience and necessity in Docket No. G–1648, in the above-entitled matters.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10594; Filed, Sept. 4, 1951; 8:45 a. m.]

[Docket No. G–1701]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF FINDINGS AND ORDER

AUGUST 28, 1951.

Notice is hereby given that, on August 24, 1951, the Federal Power Commission issued its findings and order entered August 21, 1951, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10595; Filed, Sept. 4, 1951; 8:45 a. m.]

[Docket No. G–1703]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 28, 1951.

Notice is hereby given that, on August 23, 1951, the Federal Power Commission issued its findings and order entered August 21, 1951, authorizing and approving abandonment of facilities in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10596; Filed, Sept. 4, 1951; 8:46 a. m.]

[Docket No. G–1735]

NORTH PENN GAS CO. AND CRYSTAL CITY GAS CO.

NOTICE OF FINDINGS AND ORDER

AUGUST 28, 1951.

Notice is hereby given that, on August 27, 1951, the Federal Power Commission issued its findings and order entered August 21, 1951, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10597; Filed, Sept. 4, 1951; 8:46 a. m.]

[Docket No. G–1736]

CITIES SERVICE GAS CO.

ORDER FIXING DATE OF HEARING

AUGUST 28, 1951.

On July 9, 1951, Cities Service Gas Company (Applicant), a Delaware corporation with its principal place of business at Oklahoma City, Okla., filed an application, supplemented on August 6, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural-gas transmission pipeline facilities, subject to the jurisdiction of the Commission, as fully described in the application and supplement thereto on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 26, 1951 (16 F. R. 7335).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on September 12, 1951, at 9:30 a. m. (e. d. s. t.), in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the rules of practice and procedure.

Date of issuance: August 29, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,,
Acting Secretary.

[F. R. Doc. 51–10598; Filed, Sept. 4, 1951; 8:46 a. m.]

[DOCKET NO. G–1742]

MICHIGAN CONSOLIDATED GAS CO. AND MICHIGAN-WISCONSIN PIPE LINE CO.

ORDER FIXING DATE OF HEARING

AUGUST 28, 1951.

On July 12, 1951, Michigan Consolidated Gas Company (Michigan Consolidated), a Michigan corporation, and Michigan-Wisconsin Pipe Line Company (Michigan-Wisconsin), a Delaware corporation, each having its principal office at Detroit, Michigan, filed a joint application pursuant to section 7 of the Natural Gas Act. Michigan Consolidated seeks a certificate of public convenience and necessity authorizing the installation of an additional 2,500 horsepower compressor unit in the Austin Station at the Austin Storage Field near Big Rapids, Michigan. Michigan-Wisconsin requests a certificate authorizing it to operate such proposed additional compressor unit under lease from Michigan Consolidated in the same manner and on the same basis that Michigan-Wisconsin is now operating certain facilities, including the Austin Station and Austin Storage Field, under lease from Michigan Consolidated. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on July 31, 1951 (16 F. R. 7470).

Applicants have requested that this application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held on September 13, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: August 29, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10599; Filed, Sept. 4, 1951; 8:46 a. m.]

[Docket No. G–1779]

HOPE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED RATE SCHEDULES AND PROVIDING FOR HEARING

AUGUST 28, 1951.

On July 25, 1951, Hope Natural Gas Company (Hope) filed with the Commission proposed Third Revised Sheet No. 3, First Revised Sheet No. 3–A, Second Revised Sheet No. 4 and First Revised Sheet No. 4–A, respectively, to its FPC Gas Tariff, Original Volume No. 1, pursuant to Part 154 of the Commission's general rules and regulations, setting forth therein its proposed Rate Schedules H–1A, H–1B, H–2A and H–2B, respectively; and requested that such proposed rate schedules be permitted to become effective as of September 1, 1951. Because of the necessity for filing new sheets to comply with the Commission's recent order In the Matter of Hope Natural Gas Company, Docket No. G–1292, these sheets have been redesignated as Fourth Revised Sheet No. 3, Second Revised Sheet No. 3–A, Third Revised Sheet No. 4, and Second Revised Sheet No. 4–A, respectively.

The proposed rate schedules would increase the presently effective rates and

charges to Hope's six interstate wholesale customers; namely, The Manufacturers Light and Heat Company (Manufacturers), Mount Morris Gas Company (Morris), The Peoples Natural Gas Company (Peoples), The East Ohio Gas Company (East Ohio), New York State Natural Gas Corporation (New York Natural), and The River Gas Company (River Gas).

Copies of the proposed rate schedules, together with copies of material submitted by Hope to this Commission pursuant to § 154.63 of the Commission's general rules and regulations (18 CFR 154.63), were transmitted by Hope to each of its said interstate wholesale customers. Peoples, East Ohio, New York Natural, and River Gas are affiliates of Hope in the Consolidated Natural Gas Company system.

It appears from the proposed filings that application of the present and proposed rates to the interstate transactions during the year ending August 31, 1952, would provide an increase in charges totaling $5,473,640 distributed as follows:

Customer	Volumes (mcf)	Revenues		Increase
		At present rates	At proposed rates	
Manufacturers	8,108,000	$2,432,400	$2,797,260	$364,860
Morris	27,500	8,250	9,488	1,238
Peoples	23,436,000	6,796,440	7,851,060	1,054,620
East Ohio	51,785,000	16,571,200	19,419,375	2,848,175
New York Natural	26,681,000	8,071,003	9,204,945	1,133,942
River Gas	2,023,000	627,130	697,935	70,805
Total	112,060,500	34,506,423	39,980,063	5,473,640

The revenues listed under the heading "At Present Rates" were computed by Hope, using the rates contained in rate schedules reflecting increases sought by Hope in the aforementioned rate proceeding, Docket No. G–1292, which increases, the Commission, by order of April 11, 1950, permitted to become effective subject to the filing of a bond; and which were in effect at the time of the filing of the application in the instant matter. By order dated August 9, 1951, in Docket No. G–1292, the Commission disallowed $245,484 of the increase requested by Hope in Docket No. G–1292, based upon the 12-month test period ended October 31, 1949.

Hope avers that the proposed increased rates are necessitated by reason of a proposed rate increase of Tennessee Gas Transmission Company, which supplies natural gas to Hope, which increase has not taken effect but has been suspended by the Commission; and by reason of recently granted wage increases, increases in other expenses, and increased taxes.

A number of interested parties have protested the increase and requested suspension and hearing.

The rates, charges and classifications set forth in Fourth Revised Sheet No. 3, Second Revised Sheet No. 3–A, Third Revised Sheet No. 4, and Second Revised Sheet No. 4–A to Hope's FPC Gas Tariff, Original Volume No. 1, comprising the proposed new Rate Schedules H–1A, H–1B, H–2A, and H–2B may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges and classifications set forth in Hope Natural Gas Company's Fourth Revised Sheet No. 3, Second Revised Sheet No. 3–A, Third Revised Sheet No. 4, and Second Revised Sheet No. 4–A to its FPC Gas Tariff, Original Volume No. 1, and that said tariff sheets filed in this proceeding be suspended pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date and place hereafter to be fixed by the Commission concerning the lawfulness of the rates, charges and classifications subject to the jurisdiction of the Commission, as set forth in Fourth Revised Sheet No. 3, Second Revised Sheet No. 3–A, Third Revised Sheet No. 4, and Second Revised Sheet No. 4–A to FPC Gas Tariff, Original Volume No. 1, filed by Hope Natural Gas Company.

(B) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Hope Natural Gas Company on July 25, 1951, be and they hereby are suspended and the use thereof is deferred until February 1, 1952, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

Date of issuance: August 29, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51–10600; Filed, Sept. 4, 1951; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26368]

COMMODITY RATES FROM AND TO BONNIE, FLA.

APPLICATION FOR RELIEF

AUGUST 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic Coast Line Railroad Company and other carriers parties to Consolidated Freight Classification No. 19, Agent W. L. Taylor's I. C. C. No. 62.

Commodities involved: Articles subject to commodity rates.

Between: Bonnie, Fla., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief: Competition with rail carriers, circuitous routes, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51–10622; Filed, Sept. 4, 1951; 8:48 a. m.]

[4th Sec. Application 26369]

COTTON LINTERS FROM CAIRO, ILL., TO TENNESSEE

APPLICATION FOR RELIEF

AUGUST 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Gulf, Mobile and Ohio Railroad Company and other carriers.

Commodities involved: Cotton linters, other than bleached or dyed, in bales, carloads.

From: Cairo, Ill.

To: North Chattanooga, Tyner, and Jersey, Tenn.

Grounds for relief: Competition with rail and water carriers, circuitous routes, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expira-

tion of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-10623; Filed, Sept. 4, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2692]

NORTHERN STATES POWER CO.

NOTICE OF PROPOSED BANK LOANS

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 28th day of August A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the act") by Northern States Power Company ("the Company"), a Minnesota corporation which is both a registered holding company and an operating utility company. The Company has designated sections 6 (a) and 7 of the act and Rule U-23 promulgated thereunder as applicable to the proposed transaction.

All interested parties are referred to said declaration on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

The Company proposes to negotiate loans aggregating not to exceed $15,000,000 from a group of banks, the loans to be evidenced by promissory notes to be dated as of the date of the loans and to be payable, without premium, on or before a date not more than twelve months from the date of the initial loan. The Company expects to make an initial borrowing of $7,500,000 as soon as possible after this declaration is permitted to become effective, and the remaining $7,500,000 approximately 60 days thereafter, but in any event all borrowings proposed by this declaration will be made before December 31, 1951. The interest rate on each loan wil not exceed the prime interest rate (presently 2½ percent) on bank loans of this type at the time commitment for the loan is made. The banks which may participate in the loans may include some or all of the following:

Northwestern National Bank of Minneapolis.
First National Bank of Minneapolis.
The First National Bank of Saint Paul.
The Chase National Bank of the City of New York.
Continental Illinois National Bank & Trust Company of Chicago.
Harris Trust and Savings Bank, Chicago.

The Company will not consummate any loan at an interest rate in excess of 2¾ percent or with any bank not listed above except after an amendment to this declaration stating such interest rate or naming such bank, as the case may be, shall have become effective. If such amendment is filed after this declaration has become effective, the Company will request therein that the amendment be permitted to become effective five days after filing without further order of the Commission unless the Commission shall have notified the Company to the contrary.

The proceeds from the loans will be added to the general funds of the Company and used to provide part of the new capital required during the balance of 1951 and in the first part of 1952 in connection with the construction program of the Company and its subsidiaries.

The construction expenditures of the Company and its subsidiaries are estimated at $23,640,000 for the second half of the year 1951 and $30,100,000 for the year 1952, based on present-day costs of labor and materials. The Company estimates that approximately $32,500,000 of new money in addition to that available from treasury cash, reserves and earnings, will be required to finance such expenditures. The Company proposes to obtain $15,000,000 of this amount temporarily from the proposed bank loans; and it expects, if market and economic conditions are favorable, to finance the repayment of the proposed bank loans and the balance of its 1952 requirements by the sale in 1952 of common stock and other securities senior thereto in the proportionate amounts deemed necessary to maintain sound capitalization ratios.

The Company states that no finder's fee or other fee, commission or remuneration will be paid in connection with the proposed loans. It estimates that its total expenses will not exceed $4,000, including a fee of $2,500 to its attorneys.

The Company further states that no State Commission has jurisdiction over the proposed transaction.

It is requested that the Commission's order herein be made effective immediately upon issuance.

Notice is further given that any interested person may, not later than September 10, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of law or fact proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be allowed to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10603; Filed, Sept. 4, 1951; 8:47 a. m.]

[File No. 812-727]

CAPITAL SAVINGS PLAN ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 29th day of August A. D. 1951.

In the matter of Capital Savings Plan, Independence Trust Shares, Independence Shares Corporation, Delaware Fund, Inc.; File No. 812-727.

Notice is hereby given that Independence Shares Corporation (herein called "Depositor"), a corporation organized under the laws of the Commonwealth of Pennsylvania, for itself and as the Sponsor-Depositor of Capital Savings Plan (herein called "The Plan") and Independence Trust Shares (herein called "The Trust") and Delaware Fund, Inc. (herein called "Delaware"), a corporation organized under the laws of the State of Delaware, have filed an application under section 11 (c) of the Investment Company Act of 1940 for an order exempting them from the provisions of section 11 (a) of the act for a proposed offer by Delaware to the holders of trust certificates of The Trust (herein called "Trust Certificates") to exchange its shares of capital stock for such Trust Certificates.

The application discloses the following:

The Trust is a common law fixed trust under an indenture between the Depositor, the Pennsylvania Company for Banking and Trusts, Trustee, and the certificate holders of The Trust. The indenture contains a provision that the Trust may be terminated by the Depositor or by the Trustee after the number of Trust Shares issued and outstanding are less than 500,000. Depositor and Trustee have agreed, subject to the granting of the exemption applied for, that termination right shall only be applicable when the issued and outstanding Trust Shares are less than 200,000. The certificates, which represent shares in the trust, are sold at net asset value plus a depositor's charge, being a sales load of 7½ percent of this amount. Eleven hundred persons hold these certificates, together with certain persons who have acquired or may acquire them through The Plan. The Trust is deemed to be a unit investment company. The Plan is a Pennsylania corporation and a unit investment company which issues "Plan Certificates" on which monthly installments are paid. The money so derived is used to acquire certificates of the Trust. Plan certificates have not been offered since 1938. Delaware Fund, Inc., is an open-end management type investment company. Neither Delaware nor any of its officers or directors, underwriter or investment adviser are affiliated with Depositor, The Plan or The Trust, except that L. J. Ross, an assistant secretary and employee of Delaware, is an employee of Depositor. Delaware's shares are publicly offered at the net asset value plus a sales load equal

to 9.35 percent of net value or 8½ percent of the offering price.

Delaware proposes to offer its capital stock at net asset value, without any loading charge, for Trust Certificates at net asset value without any liquidation charge. Planholders may convert their holdings into Trust Certificates and exchange these for shares of Delaware. Delaware will take Trust Certificates into its portfolio and when enough are on hand, will take down underlying portfolio securities in kind. The offer may be withdrawn any time after November 1, 1951. In states where shares of Delaware must be sold through a registered dealer, the offering will only be made by such registered dealer. In Arizona, Indiana and New Hampshire, where Delaware is not registered, state authorities have stated they have no objection to the mailing of a letter giving notice of the proposed exchange but making no offering. In Idaho, where Delaware is not registered, state authorities have stated they have no objection to the notice letter or to the transfer of shares under the exchange to stockholders residing in that state.

The application alleges that while the management charges of Delaware are higher than those of the Trust, there are advantages in the exchange to holders of Trust Certificates taxwise and in ability to liquidate. It is also alleged that the more diversified portfolio of Delaware is more to the advantage of the holders of its shares than the limited portfolio of the Trust to the holders of its certificates. Applicants also state their belief that the proposed offer of exchange is fair and reasonable to Delaware and its holders and to the Planholders of the Plan and the Certificate Holders of the Trust.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time on or after September 10, 1951 unless prior thereto a hearing upon the application is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than September 7, 1951 at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-10604; Filed, Sept. 4, 1951; 8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation No. 4]

EDIBLE TREE NUTS

POSTPONEMENT OF HEARING

Corrected Reprint

Investigation No. 4 under section 22 of the Agricultural Adjustment Act, as amended.

The United States Tariff Commission on August 22, 1951, ordered that the public hearing in the investigation with respect to edible tree nuts heretofore scheduled for September 5, be postponed to September 12, 1951. The hearing will open at 10 a. m. and will be held in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D. C.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F. R. Doc. 51-10318; Filed, Aug. 27, 1951; 8:46 a. m.]